1 Name: Fletcher Carson

2 Address: 6 Beach Road #507

3   Tiburon CA 94920

4 Phone Number: 707.332.0830

5 E-mail Address: fc@omsphere.com

6 Plaintiff Pro Se

7   **UNITED STATES DISTRICT COURT**

8   **NORTHERN DISTRICT OF CALIFORNIA**

9   **OAKLAND DIVISION**

10

11

12 Fletcher Carson

13   Plaintiff(s),   Civil Action Number: **4:13-CV-00520-KAW**

14   vs.

15 Walsh Griffin, Walsh Capital Group, AJR   **NOTICE OF MOTION AND MOTION**

16 International FZE,   **TO ALLOW**

17 Kelvin Don, Salvtore Financial Agency,   **ALTERNATE SERVICE OF PROCESS**

18 Priscilla Ellis, John Kagose, Kenietta   **ON DEFENDANTS; MEMORANDUM OF**

19 Johnson, KVP International Consultants,   **POINTS AND AUTHORITIES**

20 KVP International Trades,

21 Victoria Ellis, Vicken International Traders

22 LLC,

23 Ivan Ahmed Azziz,

24 Daniel Okwudili Nwankwo,

25 Cisse Abdoulaye, Ben Aka

26 Does 1-20

27   Defendant(s).

1

<u>**NOTICE OF MOTION AND MOTION**</u>

2

TO ALL ATTORNEYS AND THEIR ATTORNEYS OF RECORD:

3

PLEASE TAKE NOTICE THAT under Federal Rules of Civil Procedure, Rule 4,

4

Plaintiff Fletcher Carson hereby moves the Court for an order allowing alternative service of

5

process of Summons on Defendants, in both national and international locations.

6

Plaintiff's Motion is based on this Notice of Motion and Motion, the supporting

7

Memorandum of Points and Authorities, all matters of which this Court may take judicial

8

notice, all pleadings, records, and papers on file in this action, and such other or further oral or

9

documentary evidence before the Court prior to disposition of the Motion.

10

A proposed Order granting alternative process of service of Defendants by Plaintiff is

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attached for the Court's convenience.

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Dated: 24 March 2013   By: _____

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Fletcher Carson, Plaintiff pro se

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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff respectfully requests an order to allow service of Summons on Defendants in an alternative manner as indicated below.

Rule 4(d) provides for a request for waiver of service by the Plaintiff. Rule 4(d)(1)(F-G) states:

> F) give the defendant a reasonable time of at least 30 days after the request was sent—or at least 60 days if sent to the defendant outside any judicial district of the United States—to return the waiver; and
>
> (G) be sent by first-class mail or other reliable means.

Plaintiff filed this complaint on 6 February 2013, and sent the Summons, Complaint, and all other required documents including two copies of the waiver of service and a self-addressed stamped envelope to all of the Defendants as indicated in **Exhibits A-J**, on 11 February at the US Post Office, with tracking numbers for each package.

1. ALL overseas Express Mail packages with tracking were returned unopened indicating that the addresses were not good:

   a. Mail to Walsh Griffin, and Walsh Capital Group, (**Exhibit H-1**) both with the same address in Dublin, Ireland were returned…bad address.

   b. Mail to AJR International FZE (**Exhibit J**), Ivan Ahmed Azziz, Daniel Okwudili Nwankwo, Cisse Abdoulaye, and Ben Aka (**Exhibits I-1 thru I-4**) in Abu Dhabi, UAE were all returned…bad addresses.

2. U.S. recipients received Priority Mail packages with tracking:

   a. Mail to Priscilla Ellis as an individual (**Exhibit A-1**) was delivered, forwarded, delivered, and then returned as unknown addressee

   b. Mail to Priscilla Ellis as CEO of KVP International Consultants (**Exhibit A-2**) was delivered and not returned.

   c. Mail to KVP International Consultants (**Exhibit B**) was delivered and not returned.

d. Mail to Priscilla Ellis as CEO of Vicken International Traders LLC (**Exhibit A-3**) was returned as refused.

e. Mail to Vicken International Traders LLC (**Exhibit C**) was returned as refused.

f. Mail to Kenietta Johnson as an individual (**Exhibit D-1**, sister of Priscilla Ellis) was opened, taped, and returned to sender with "don't live at this address" written on it.

g. Mail to Kenietta Johnson as employee of KVP International Consultants (**Exhibit D-2**) was delivered and not returned.

h. Mail to John Kagose as employee of KVP International Consultants (**Exhibit E**) was delivered and not returned.

i. Mail to Kelvin Don as an employee of Salvtore Financial Agency (**Exhibit F-1**), and to Salvtore Financial Agency (**Exhibit G**) were both returned as "wrong address".

As can be seen, all of the overseas addresses were fraudulent, and therefore the provisions of the Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters (Hague Service Convention) are no longer applicable.

Plaintiff has, however, communicated with all individuals by email, and asks the court to approve alternate service by Registered Email as decided in the United States District Court, E.D. Texas, Marshall Division on January 23, 2012: *RPOST HOLDINGS, INC., RPOST INTERNATIONAL LIMITED, and RMAIL LIMITED Plaintiffs, v. DMITRY KAGAN Defendant Civil Action No. 2:11-cv-238-JRG*…which is provided in **Exhibit K** in its entirety.

RPost Holdings provides a secure internet service which allows users to send email to recipients as registered email…an acknowledgement is returned, and then a receipt is returned within 2 hours showing that the recipient's email server received the email, and allows the sender to then forward that receipt to RPost which returns a complete authentication of the contents of the email including attachments, to verify delivery.

1   Defendant Priscilla Ellis, has not sent back a Waiver of Service for herself, Kenietta

2 Johnson, John Kagose, or KVP International Consultants.

3   Rule 4 looks to ensure that Summons/Complaint/documents are served in a way that is

4 reasonably calculated to give notice to the Defendant that they are being sued.

5   After receiving information on service by mail on each of the Defendants, Plaintiff then

6 used the RPost Registered Email services, and sent every defendant a registered email with all

7 of the required documents attached. Since the Complaint was 5MB in size as a single file,

8 Plaintiff sent two registered emails to each Defendant and authenticated all of the emails (See

9 **Exhibits A-4, F-2, H-2, and I-5**) . The only exception was AJR International FZE…they have

10 no email address, a bad phone number, and a fraudulent physical address…there was no manner

11 to serve them…however, the individuals that directed Plaintiff to wire funds to the account

12 owned by AJR International FZE (Walsh Griffin, Walsh Capital Group, and Ivan Ahmed Azziz)

13 were all served by registered email, and are therefore aware of complaint on behalf of AJR

14 International FZE, which looks to be simply a fraudulent company that they control.

15   NONE of the emails bounced…each of the separate emails were the emails with which

16 Plaintiff communicated with each of the Defendants over a period of time, during which time

17 this sequence of alleged fraudulent activities occurred, and the Registered Email delivery of

18 service is therefore reasonably calculated to give notice to each and every Defendant, in

19 addition to any email communication received back by Plaintiff verifying same by Defendant

20 themselves…as with Priscilla Ellis.

21   Plaintiff therefore requests this court to grant this motion to accept the Registered Email

22 service of delivery as an acceptable proof of service reasonably calculated to give notice to each

23 Defendant. Two items will be submitted by Plaintiff to rectify errors: Victoria Ellis is on the

24 Complaint but not the Summons, and therefore will be deleted from the complaint…she is

25 evidently a minor, the daughter of Priscilla Ellis. Since AJR International FZE has no known

26 address, they will be removed and left as a Doe until such time as their whereabouts can be

27 ascertained.

Date: 24 March 2013   By: _____

Fletcher Carson, Plaintiff pro se

CERTIFICATE OF SERVICE

I hereby certify that I electronically submitted the foregoing document using the electronic case files system of the court. The electronic case files system sent a "Notice of Electronic Filing" to individuals who have consented in writing to accept this Notice as service of this document by electronic means.
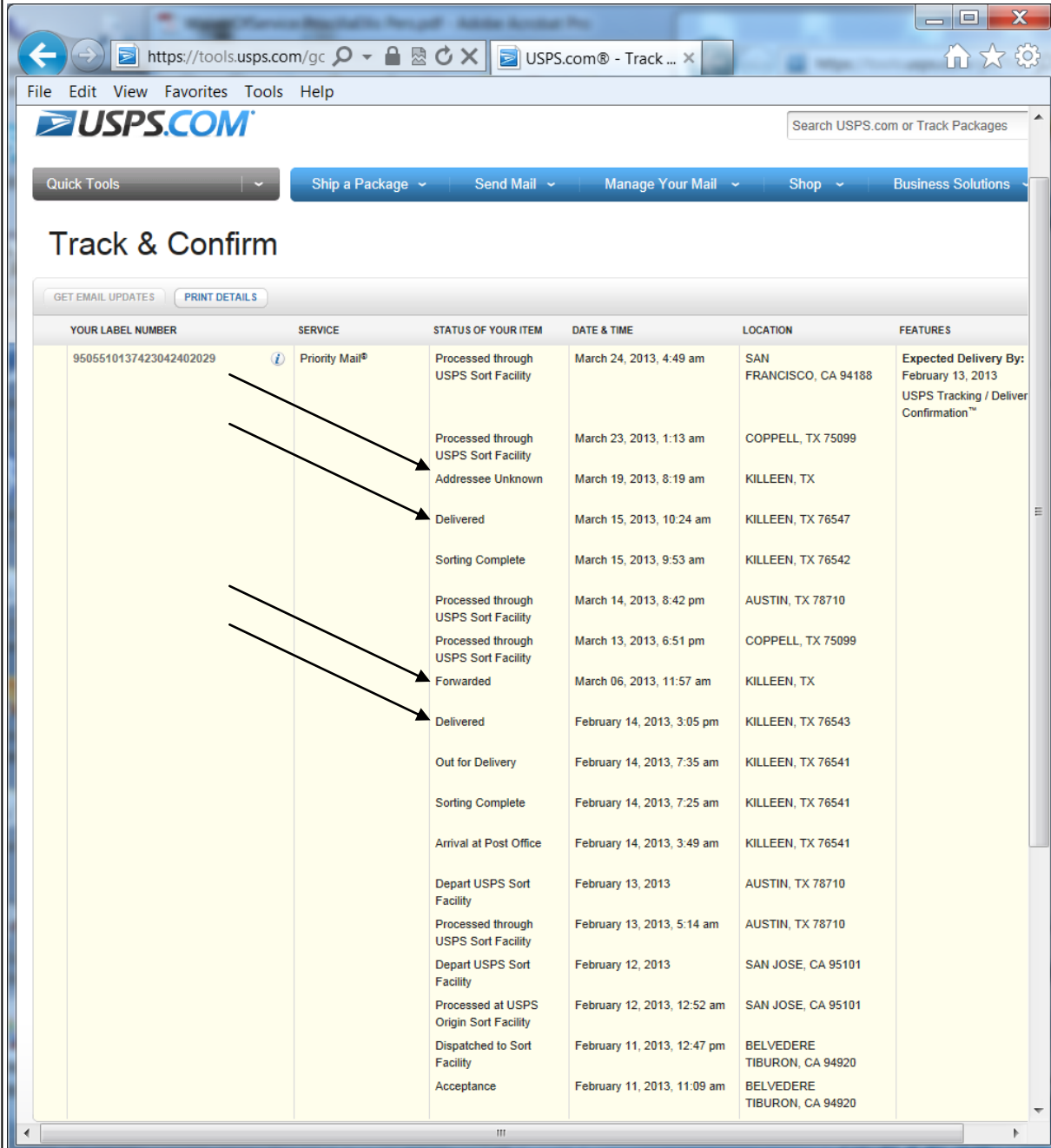
Dated: 24 March 2013   By: _____

Fletcher Carson, Plaintiff pro se

EXHIBIT A-1
Priscilla Ellis – Personal
Service of Process Attempts

1. Priscilla Ellis – Personal
   a. Tracking: 9505 5101 3742 3042 4020 29
   b. Priority mail 2/11/13 (delivered, forwarded, delivered, addressee unknown)
   c. Expected delivery: 2/13/13 ➔ RETURNED

| | https://tools.usps.com/go | | USPS.com® - Track ... ✕ | | |

USPS.COM

Search USPS.com or Track Packages

| Quick Tools | ▾ | Ship a Package ▾ | Send Mail ▾ | Manage Your Mail ▾ | Shop ▾ | Business Solutions ▾ |

Track & Confirm

GET EMAIL UPDATES   PRINT DETAILS

YOUR LABEL NUMBER		SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9505510137423042402029	ⓘ	Priority Mail®	Processed through USPS Sort Facility	March 24, 2013, 4:49 am	SAN FRANCISCO, CA 94188	**Expected Delivery By:** February 13, 2013 USPS Tracking / Deliver Confirmation™
			Processed through USPS Sort Facility	March 23, 2013, 1:13 am	COPPELL, TX 75099	
			Addressee Unknown	March 19, 2013, 8:19 am	KILLEEN, TX	
			Delivered	March 15, 2013, 10:24 am	KILLEEN, TX 76547	
			Sorting Complete	March 15, 2013, 9:53 am	KILLEEN, TX 76542	
			Processed through USPS Sort Facility	March 14, 2013, 8:42 pm	AUSTIN, TX 78710	
			Processed through USPS Sort Facility	March 13, 2013, 6:51 pm	COPPELL, TX 75099	
			Forwarded	March 06, 2013, 11:57 am	KILLEEN, TX	
			Delivered	February 14, 2013, 3:05 pm	KILLEEN, TX 76543	
			Out for Delivery	February 14, 2013, 7:35 am	KILLEEN, TX 76541	
			Sorting Complete	February 14, 2013, 7:25 am	KILLEEN, TX 76541	
			Arrival at Post Office	February 14, 2013, 3:49 am	KILLEEN, TX 76541	
			Depart USPS Sort Facility	February 13, 2013	AUSTIN, TX 78710	
			Processed through USPS Sort Facility	February 13, 2013, 5:14 am	AUSTIN, TX 78710	
			Depart USPS Sort Facility	February 12, 2013	SAN JOSE, CA 95101	
			Processed at USPS Origin Sort Facility	February 12, 2013, 12:52 am	SAN JOSE, CA 95101	
			Dispatched to Sort Facility	February 11, 2013, 12:47 pm	BELVEDERE TIBURON, CA 94920	
			Acceptance	February 11, 2013, 11:09 am	BELVEDERE TIBURON, CA 94920	

Motion To Allow Alternate Service of Process
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EXHIBIT A-2

Priscilla Ellis as CEO of KVP International Consultants

Service of Process Attempts

1. Priscilla Ellis – CEO of KVP
   a. Tracking: 9505 5101 3742 3042 4031 32
   b. Priority mail 2/11/13 (delivered, forwarded, delivered, addressee unknown)
   c. Expected delivery: 2/13/13 ➜ Delivered

EXHIBIT A-3

Priscilla Ellis as CEO of Vicken International Traders

Service of Process Attempts

1. Priscilla Ellis – CEO of Vicken
   a. Tracking: 9505 5101 3742 3042 4036 82
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➔ 2/13
   d. RETURNED as REFUSED

YOUR LABEL NUMBER		SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9505510137423042403682	(i)	Priority Mail®	Delivered	March 08, 2013, 11:55 am	BELVEDERE TIBURON, CA 94920	Expected Delivery By: February 13, 2013 USPS Tracking / Delivery Confirmation™
			Depart USPS Sort Facility	March 07, 2013	PETALUMA, CA 94999	
			Processed through USPS Sort Facility	March 07, 2013, 5:07 am	PETALUMA, CA 94999	
			Depart USPS Sort Facility	March 06, 2013	KEARNY, NJ 07032	
			Processed through USPS Sort Facility	March 05, 2013, 10:56 pm	KEARNY, NJ 07032	
			Return to Sender	March 02, 2013, 3:16 pm	NEW YORK, NY	
			Refused	February 20, 2013, 4:16 pm	NEW YORK, NY 10118	
			Delivered	February 13, 2013, 10:00 am	NEW YORK, NY 10118	
			Arrival at Post Office	February 13, 2013, 6:45 am	NEW YORK, NY 10001	
			Depart USPS Sort Facility	February 13, 2013	BETHPAGE, NY 11714	
			Processed through USPS Sort Facility	February 12, 2013, 11:56 pm	BETHPAGE, NY 11714	
			Depart USPS Sort Facility	February 12, 2013	SAN JOSE, CA 95101	
			Processed at USPS Origin Sort Facility	February 12, 2013, 12:53 am	SAN JOSE, CA 95101	
			Dispatched to Sort Facility	February 11, 2013, 12:47 pm	BELVEDERE TIBURON, CA 94920	
			Acceptance	February 11, 2013, 11:12 am	BELVEDERE TIBURON, CA 94920	

Priscilla Ellis

Authentication of Registered Email receipt to:

mspajd@aol.com as email used for all the following:

for Priscilla Ellis personally, as CEO of KVP International Consultants, as CEO of Vicken

International Traders, for KVP International Consultants, for Vicken International Traders, for

Kenietta Johnson at KVP International Consultants, and for John Kagose at KVP International

Consultants

RECEIPT AUTHENTICATION™

PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
mspajd@aol.com	Delivered to MailBox	Relayed to mailbox core-mgc003c.r1000.mail.aol.com	3/16/2013 2:06:03 AM (UTC)	3/15/2013 7:06:03 PM(-700)	
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 234421118 accepted smtp.secureserver.net (72.167.238.201)	3/16/2013 2:06:02 AM (UTC)	3/15/2013 7:06:02 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope	
From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	US District Court Summons and Complaint 1 of 2 Case 4:13-cv-00522-KAW
To:	<mspajd@aol.com>
Cc:	<fc@omsphere.com>

Bcc:	
Network ID:	<01d001ce21ea$ad1ce920$0756bb60$@entirelydifferentsolutions.
Received:	3/16/2013 2:05:58 AM(UTC) -420
Client Code:	

Message Statistics	
Message ID:	0FD04487802DAD5EAD964E9F3889A85A47DAF19B
Message Size:	7425365
Additional Notes:	None
File Name:	**File Size (bytes)**
Federal Complaint.pdf	5395783
regdata.txt	411

Delivery Audit Trail
From:MAILER-DAEMON@AOL.com:Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems. Please direct further questions regarding this message to your e-mail administrator. --AOL Postmaster : delivery via core-mgc003c.r1000.mail.aol.com[172.29.238.12]:7025: 250 2.1.5 OK Email secured by Check Point
2013-03-15 19:05:58 starting aol.com/mta1\n 2013-03-15 19:05:58 connecting from mta1.la1.rpost.net (64.70.1.107) to mailin-04.mx.aol.com (64.12.90.34)\n 2013-03-15 19:05:58 connected from 64.70.1.107:45413\n 2013-03-15 19:05:58 >>> 220-mtain-mh04.r1000.mx.aol.com ESMTP Internet Inbound\n 2013-03-15 19:05:58 >>> 220-AOL and its affiliated companies do not\n 2013-03-15 19:05:58 >>> 220-authorize the use of its proprietary computers and computer\n 2013-03-15 19:05:58 >>> 220-networks to accept, transmit, or distribute unsolicited bulk\n 2013-03-15 19:05:58 >>> 220-e-mail sent from the internet.\n 2013-03-15 19:05:58 >>> 220-Effective immediately:\n 2013-03-15 19:05:58 >>> 220-AOL may no longer accept connections from IP addresses\n 2013-03-15 19:05:58 >>> 220 which no do not have reverse-DNS (PTR records) assigned.\n 2013-03-15 19:05:58 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 19:05:58 >>> 250-mtain-mh04.r1000.mx.aol.com\n 2013-03-15 19:05:58 >>> 250 DSN\n 2013-03-15 19:05:58 <<< MAIL FROM:<rcpt0FD04487802DAD5EAD964E9F3889A85A47DAF19B-1@rpost.net>

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 1639418993 accepted smtp.secureserver.net (72.167.238.201)	3/16/2013 2:05:27 AM (UTC)	3/15/2013 7:05:27 PM(-700)	
mspajd@aol.com	Delivered to MailBox	Relayed to mailbox core-mgc003c.r1000.mail.aol.com	3/16/2013 2:05:37 AM (UTC)	3/15/2013 7:05:37 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope

From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	US District Court Summons and Complaint 2 of 2 Case 4:13-cv-00522-KAW
To:	<mspajd@aol.com>
Cc:	<fc@omsphere.com>
Bcc:	
Network ID:	<01ca01ce21ea$a3760e10$ea622a30$@entirelydifferentsolutions.
Received:	3/16/2013 2:05:27 AM(UTC) -420
Client Code:	

Message Statistics

Message ID:	2D5831EE64A0A1E627E64DE59E88EA89A6A947F8
Message Size:	4426382
Additional Notes:	None
File Name:	**File Size (bytes)**
Declaration of Fletcher Carson.pdf	99590
SummonsAndOtherDocs.pdf	1744660

Motion To Allow Alternate Service of Process
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WaiverOfService KVP Intnl Cons.pdf	260669
WaiverOfService PriscillaEllis KVP.pdf	277807
WaiverOfService PriscillaEllis Pers.pdf	282828
WaiverOfService PriscillaEllis Vicken.pdf	282920
WaiverOfService Vicken Intnl Trdr.pdf	259355
regdata.txt	411

Delivery Audit Trail
From:MAILER-DAEMON@AOL.com:Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems. Please direct further questions regarding this message to your e-mail administrator. --AOL Postmaster : delivery via core-mgc003c.r1000.mail.aol.com[172.29.238.12]:7025: 250 2.1.5 OK Email secured by Check Point
2013-03-15 19:05:26 starting omsphere.com/mta1\n 2013-03-15 19:05:26 connecting from mta1.la1.rpost.net (64.70.1.107) to smtp.secureserver.net (72.167.238.201)\n 2013-03-15 19:05:26 connected from 64.70.1.107:40051\n 2013-03-15 19:05:26 >>> 220 p3pismtp01-031.prod.phx3.secureserver.net ESMTP\n 2013-03-15 19:05:26 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 19:05:26 >>> 250-p3pismtp01-031.prod.phx3.secureserver.net\n 2013-03-15 19:05:26 >>> 250-8BITMIME\n 2013-03-15 19:05:26 >>> 250 SIZE 31457280\n 2013-03-15 19:05:26 <<< MAIL FROM:<rcpt2D5831EE64A0A1E627E64DE59E88EA89A6A947F8-1@rpost.net> BODY=7BIT\n 2013-03-15 19:05:26 >>> 250 sender <rcpt2D5831EE64A0A1E627E64DE59E88EA89A6A947F8-1@rpost.net> ok\n 2013-03-15 19:05:26 <<< RCPT TO:<fc@omsphere.com>\n 2013-03-15 19:05:26 >>> 250 recipient <fc@omsphere.com> ok\n 2013-03-15 19:05:26 <<< DATA\n 2013-03-15 19:05:26 >>> 354 go ahead\n 2013-03-15 19:05:27 <<< .\n 2013-03-15 19:05:27 >>> 250 ok: Message 1639418993 accepted\n 2013-03-15 19:05:27 <<< QUIT\n 2013-03-15 19:05:27 >>> 221 p3pismtp01-

031.prod.phx3.secureserver.net\n 2013-03-15 19:05:27 closed smtp.secureserver.net

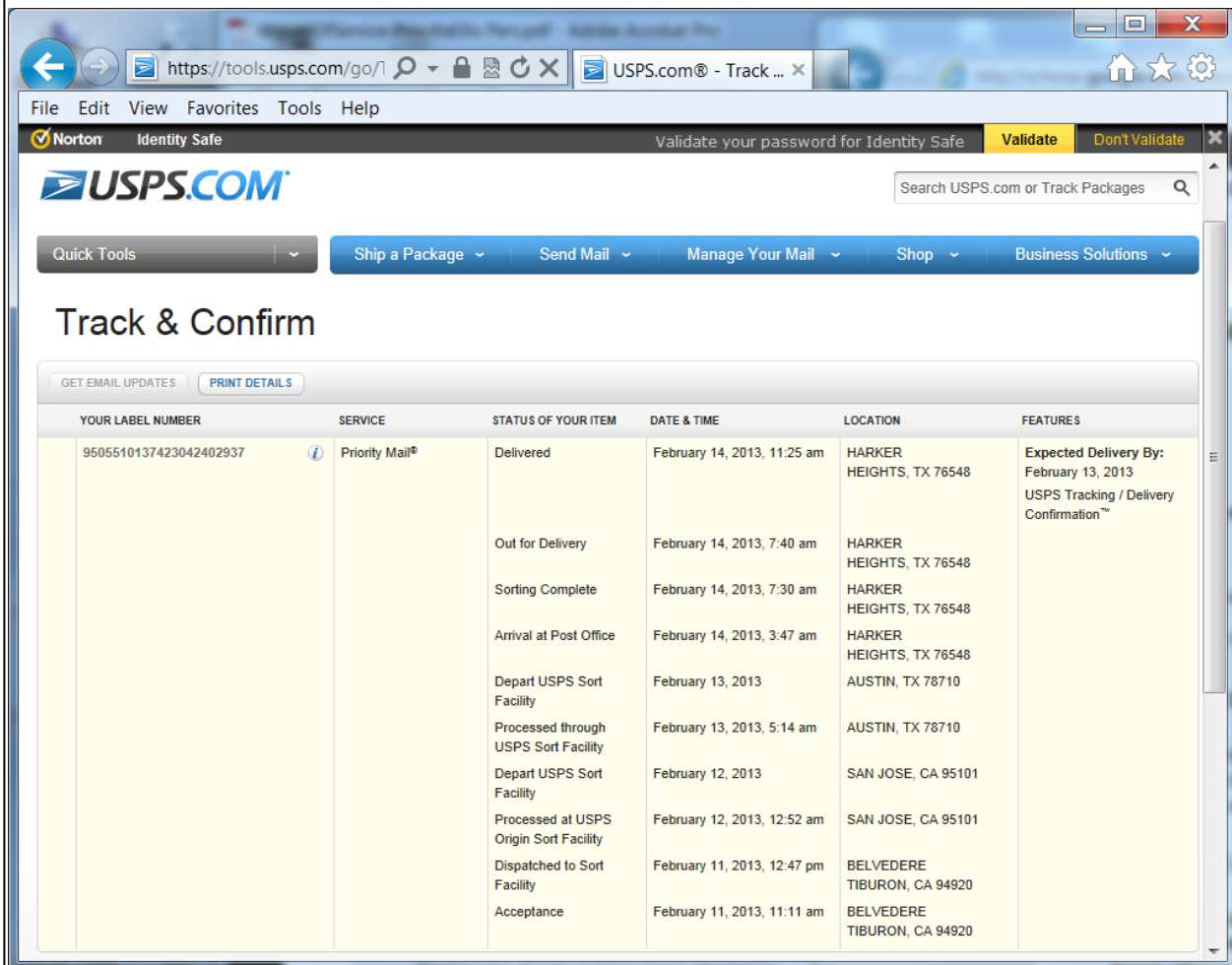(72.167.238.201) in=342 out=4429897\n 2013-03-15 19:05:27 done omsphere.com/mta1

2013-03-15 19:05:28 starting aol.com/mta1\n 2013-03-15 19:05:28 connecting from

mta1.la1.rpost.net (64.70.1.107) to mailin-01.mx.aol.com (64.12.90.1)\n 2013-03-15 19:05:28

connected from 64.70.1.107:45100\n 2013-03-15 19:05:33 >>> 220-mtain-me03.r1000.mx.aol.com

ESMTP Internet Inbound\n 2013-03-15 19:05:33 >>> 220-AOL and its affiliated companies do not\n

2013-03-15 19:05:33 >>> 220-authorize the use of its proprietary computers and computer\n 2013-

03-15 19:05:33 >>> 220-networks to accept, transmit, or distribute unsolicited bulk\n 2013-03-15

19:05:33 >>> 220-e-mail sent from the internet.\n 2013-03-15 19:05:33 >>> 220-Effective

immediately:\n 2013-03-15 19:05:33 >>> 220-AOL may no longer accept connections from IP

addresses\n 2013-03-15 19:05:33 >>> 220 which no do not have reverse-DNS (PTR records)

assigned.\n 2013-03-15 19:05:33 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 19:05:33 >>> 250-

mtain-me03.r1000.mx.aol.com\n 2013-03-15 19:05:33 >>> 250 DSN\n 2013-03-15 19:05:33 <<<

MAIL FROM:<rcpt2D5831EE64A0A1E627E64DE59E88EA89A6A947F8-2@rpost.net>

RET=HDRS\n 2013-03-15 19:05:33 >>> 250 2.1.0 Ok\n 2013-03-15 19:05:33 <<< RCPT

TO:<mspajd@aol.com> NOTIFY=SUCCESS,FAILURE,DELAY\n 2013-03-15 19:05:33 >>> 250

2.1.5 Ok\n 2013-03-15 19:05:33 <<< DATA\n 2013-03-15 19:05:33 >>> 354 End data with

<CR><LF>.<CR><LF>\n 2013-03-15 19:05:35 <<< .\n 2013-03-15 19:05:37 >>> 250 2.0.0 Ok:

queued as 6AE3A380000AB\n 2013-03-15 19:05:37 <<< QUIT\n 2013-03-15 19:05:37 >>> 221

2.0.0 Bye\n 2013-03-15 19:05:37 closed mailin-01.mx.aol.com (64.12.90.1) in=579 out=4429922\n

2013-03-15 19:05:37 done aol.com/mta1

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

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EXHIBIT B

KVP International Consultants

Service of Process Attempts

1. KVP International Consultants
   a. Tracking: 9505 5101 3742 3042 4029 37
   b. Priority mail 2/11/13
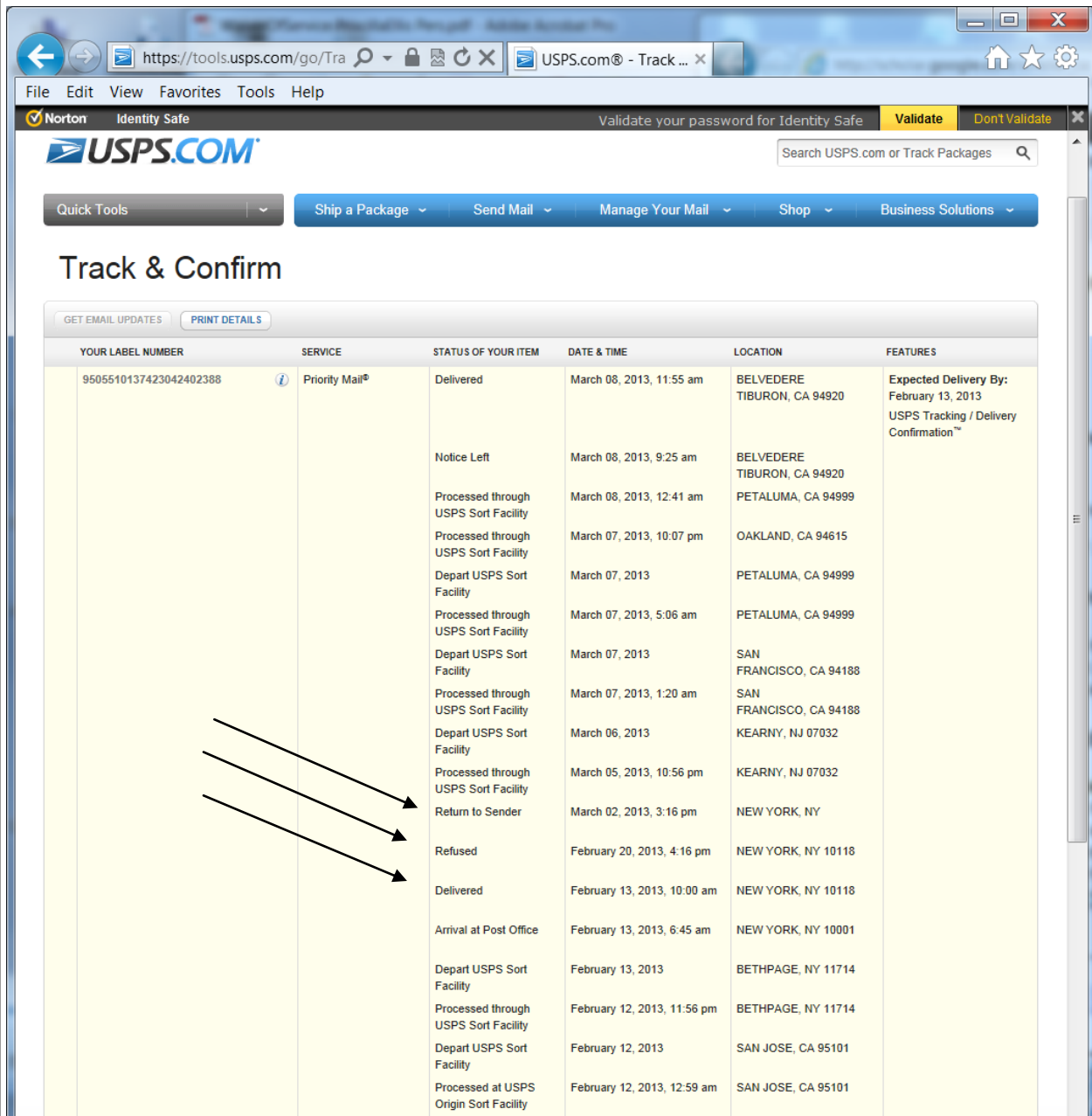   c. Expected delivery: 2/13/13 ➜ 2/14 Delivered

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9505510137423042402937	Priority Mail®	Delivered	February 14, 2013, 11:25 am	HARKER HEIGHTS, TX 76548	Expected Delivery By: February 13, 2013 USPS Tracking / Delivery Confirmation™
		Out for Delivery	February 14, 2013, 7:40 am	HARKER HEIGHTS, TX 76548	
		Sorting Complete	February 14, 2013, 7:30 am	HARKER HEIGHTS, TX 76548	
		Arrival at Post Office	February 14, 2013, 3:47 am	HARKER HEIGHTS, TX 76548	
		Depart USPS Sort Facility	February 13, 2013	AUSTIN, TX 78710	
		Processed through USPS Sort Facility	February 13, 2013, 5:14 am	AUSTIN, TX 78710	
		Depart USPS Sort Facility	February 12, 2013	SAN JOSE, CA 95101	
		Processed at USPS Origin Sort Facility	February 12, 2013, 12:52 am	SAN JOSE, CA 95101	
		Dispatched to Sort Facility	February 11, 2013, 12:47 pm	BELVEDERE TIBURON, CA 94920	
		Acceptance	February 11, 2013, 11:11 am	BELVEDERE TIBURON, CA 94920	

Motion To Allow Alternate Service of Process
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EXHIBIT C

Vicken International Traders LLC

Service of Process Attempts

1. Vicken International Traders LLC
   a. Tracking: 9505 5101 3742 3042 4023 88
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➔ 2/13
   d. RETURNED as REFUSED

USPS.COM®

Track & Confirm

GET EMAIL UPDATES   PRINT DETAILS

YOUR LABEL NUMBER		SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9505510137423042402388	ⓘ	Priority Mail®	Delivered	March 08, 2013, 11:55 am	BELVEDERE TIBURON, CA 94920	Expected Delivery By: February 13, 2013
						USPS Tracking / Delivery Confirmation™
			Notice Left	March 08, 2013, 9:25 am	BELVEDERE TIBURON, CA 94920	
			Processed through USPS Sort Facility	March 08, 2013, 12:41 am	PETALUMA, CA 94999	
			Processed through USPS Sort Facility	March 07, 2013, 10:07 pm	OAKLAND, CA 94615	
			Depart USPS Sort Facility	March 07, 2013	PETALUMA, CA 94999	
			Processed through USPS Sort Facility	March 07, 2013, 5:06 am	PETALUMA, CA 94999	
			Depart USPS Sort Facility	March 07, 2013	SAN FRANCISCO, CA 94188	
			Processed through USPS Sort Facility	March 07, 2013, 1:20 am	SAN FRANCISCO, CA 94188	
			Depart USPS Sort Facility	March 06, 2013	KEARNY, NJ 07032	
			Processed through USPS Sort Facility	March 05, 2013, 10:56 pm	KEARNY, NJ 07032	
			Return to Sender	March 02, 2013, 3:16 pm	NEW YORK, NY	
			Refused	February 20, 2013, 4:16 pm	NEW YORK, NY 10118	
			Delivered	February 13, 2013, 10:00 am	NEW YORK, NY 10118	
			Arrival at Post Office	February 13, 2013, 6:45 am	NEW YORK, NY 10001	
			Depart USPS Sort Facility	February 13, 2013	BETHPAGE, NY 11714	
			Processed through USPS Sort Facility	February 12, 2013, 11:56 pm	BETHPAGE, NY 11714	
			Depart USPS Sort Facility	February 12, 2013	SAN JOSE, CA 95101	
			Processed at USPS Origin Sort Facility	February 12, 2013, 12:59 am	SAN JOSE, CA 95101	

EXHIBIT D-1

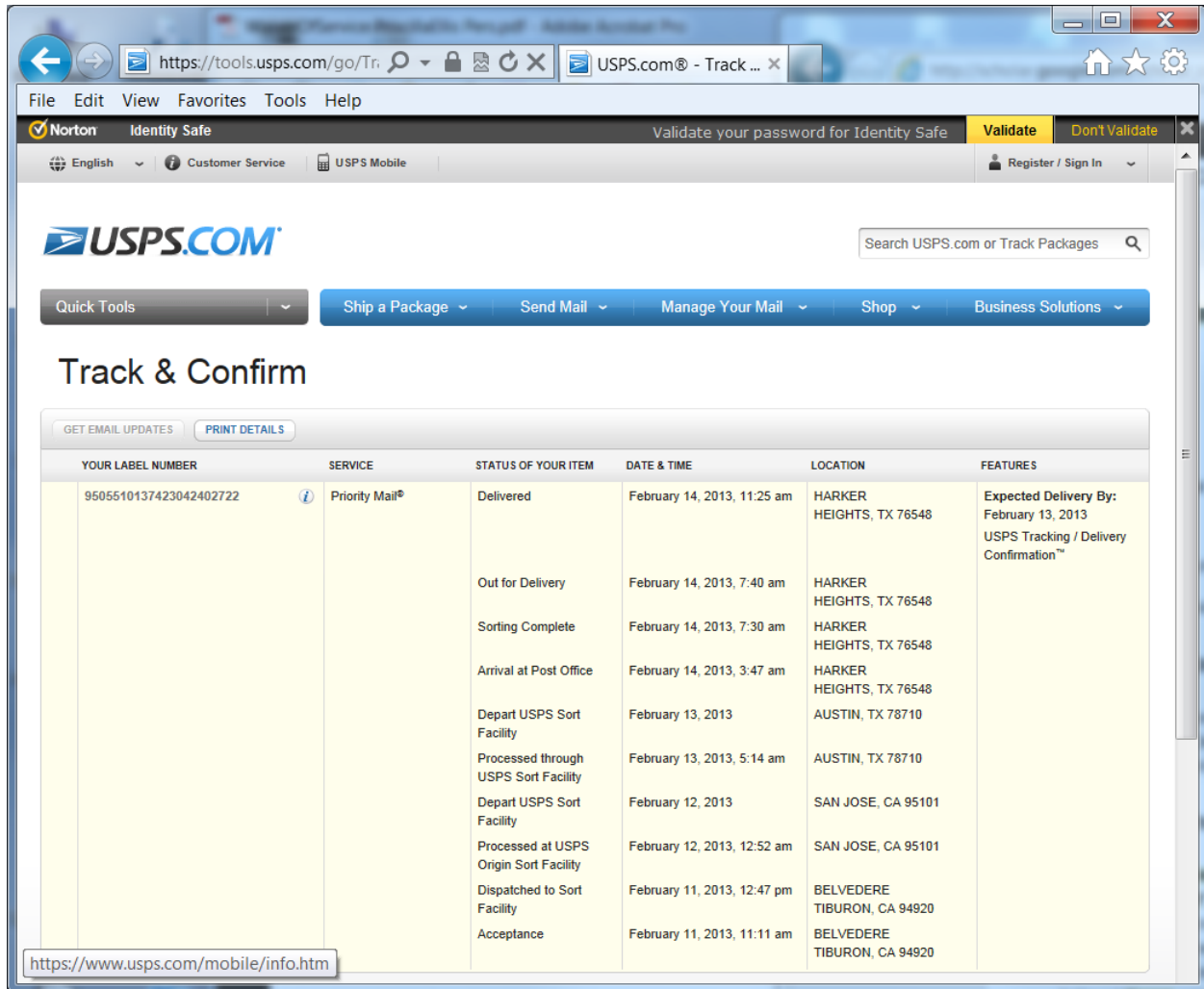## Kenietta Johnson - Personal

Service of Process Attempts

1. Kenietta Johnson
   a. Tracking: 9505 5101 3742 3042 4033 16
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➔ 2/14 ➔ returned
   d. Shows forwarding address: POB 1782, Ft. Myer VA 22211
   e. ➔ IT HAD BEEN **OPENED** and retaped...indicated to return to sender "don't live at this address"

EXHIBIT D-2

Kenietta Johnson – KVP International Consultants

Service of Process Attempts

1. Kenietta Johnson @ KVP International Consultants
   a. Tracking: 9505 5101 3742 3042 4027 22
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➔ 2/14 Delivered
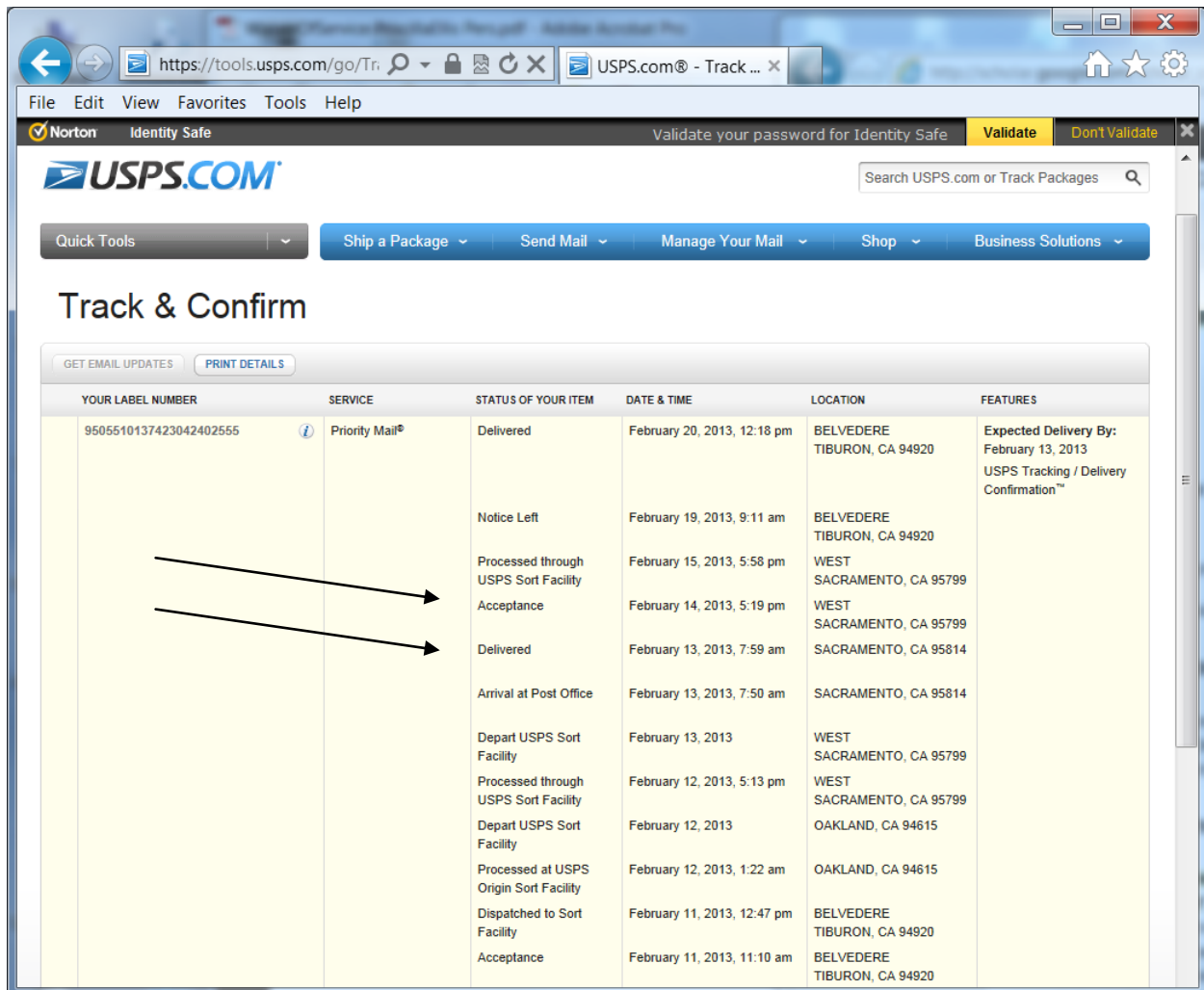
EXHIBIT E

John Kagose – KVP International Consultants

Service of Process Attempts

1. John Kagose @ KVP International Consultants
   a. Tracking: 9505 5101 3742 3042 4035 14
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➜ 2/14 Delivered
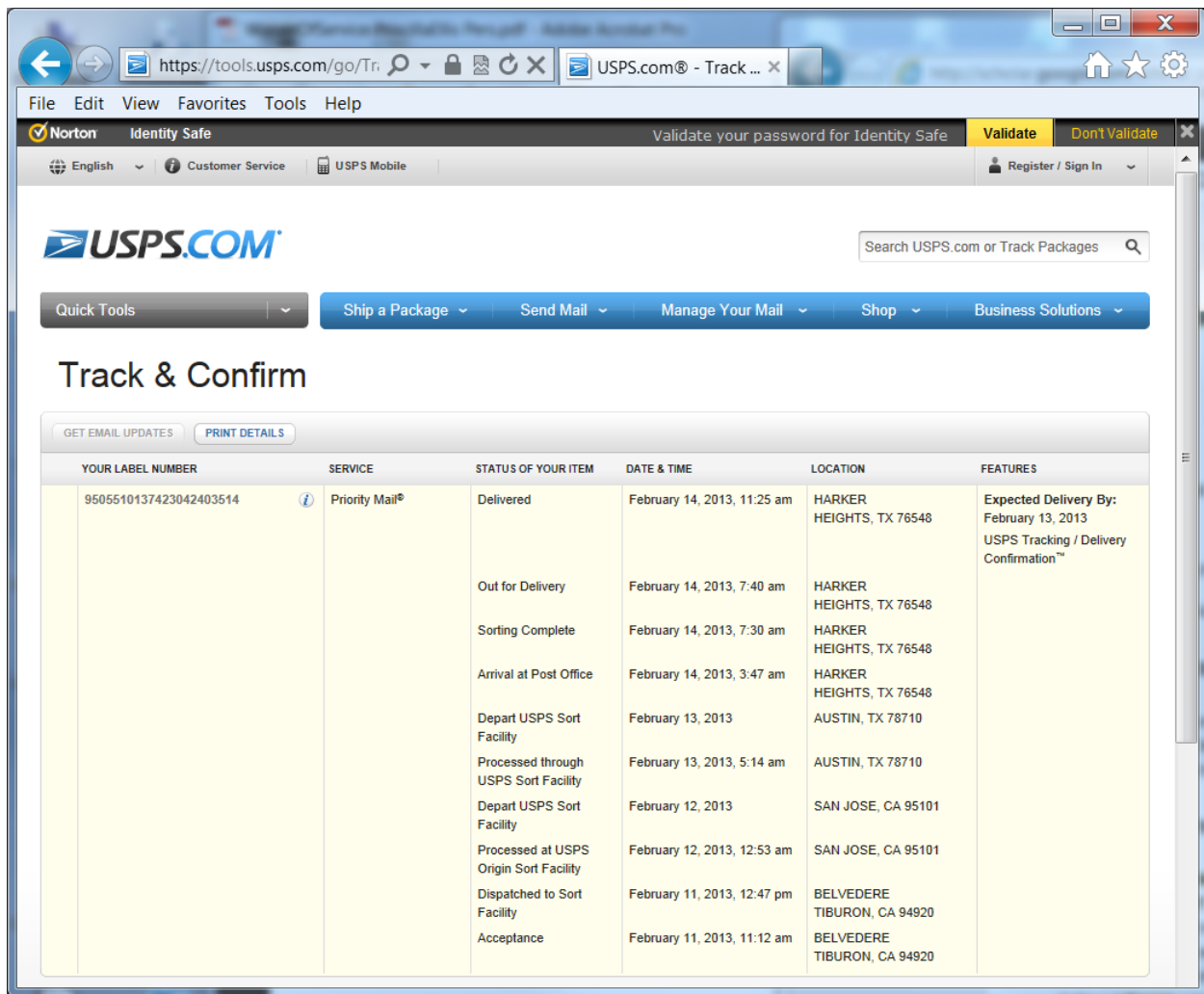
EXHIBIT F-1
Kelvin Don – Salvtore Financial Agency
Service of Process Attempts

1. Kelvin Don – Salvtore Financial Agency
   a. Tracking: 9505 5101 3742 3042 4025 55
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➔ 2/14 ➔ returned
   d. RETURN TO SENDER hand written on it "wrong" address

EXHIBIT F-2

Kelvin Don

Authentication of Registered Email receipt to:

salvtoreloanagency@yahoo.com

RECEIPT AUTHENTICATION™
PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 340940457 accepted smtp.secureserver.net (72.167.238.201)	3/16/2013 2:01:15 AM (UTC)	3/15/2013 7:01:15 PM(-700)	
salvtoreloanagency@yahoo.com	Delivered to Mailserver	250 ok dirdel mta6.am0.yahoodns.net (66.94.238.147)	3/16/2013 2:01:27 AM (UTC)	3/15/2013 7:01:27 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope

From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	US District Court Summons and Complaint 1 of 2 Case 4:13-cv-00522-KAW
To:	<salvtoreloanagency@yahoo.com>
Cc:	<fc@omsphere.com>
Bcc:	
Network ID:	<01b801ce21ea$02149410$063dbc30$@entirelydifferentsolutions.
Received:	3/16/2013 2:01:11 AM(UTC) -420
Client Code:	

Message Statistics

Message ID:	876E2E8F4C629C388CA7E973A4A7456D23D23ED2
Message Size:	7424133

Motion To Allow Alternate Service of Process

Case No. 4:13-CV-00520-KAW

Additional Notes:	None	
File Name:	**File Size (bytes)**	
<mark>Federal Complaint.pdf</mark>	5395783	

Delivery Audit Trail

2013-03-15 19:01:12 starting yahoo.com/mta1\n 2013-03-15 19:01:12 connecting from mta1.la1.rpost.net (64.70.1.107) to mta6.am0.yahoodns.net (66.94.238.147)\n 2013-03-15 19:01:12 connected from 64.70.1.107:60904\n 2013-03-15 19:01:12 >>> 220 mta1485.mail.mud.yahoo.com ESMTP YSmtpProxy service ready\n 2013-03-15 19:01:12 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 19:01:12 >>> 250-mta1485.mail.mud.yahoo.com\n 2013-03-15 19:01:12 >>> 250-8BITMIME\n 2013-03-15 19:01:12 >>> 250-SIZE 41943040\n 2013-03-15 19:01:12 >>> 250 PIPELINING\n 2013-03-15 19:01:12 <<< MAIL FROM:<rcpt876E2E8F4C629C388CA7E973A4A7456D23D23ED2-1@rpost.net> BODY=7BIT\n 2013-03-15 19:01:12 <<< RCPT TO:<salvtoreloanagency@yahoo.com>\n 2013-03-15 19:01:12 <<< DATA\n 2013-03-15 19:01:12 >>> 250 sender <rcpt876E2E8F4C629C388CA7E973A4A7456D23D23ED2-1@rpost.net> ok\n 2013-03-15 19:01:12 >>> 250 recipient <salvtoreloanagency@yahoo.com> ok\n 2013-03-15 19:01:12 >>> 354 go ahead\n 2013-03-15 19:01:15 <<< .\n 2013-03-15 19:01:27 >>> 250 ok dirdel\n 2013-03-15 19:01:27 <<< QUIT\n 2013-03-15 19:01:27 >>> 221 mta1485.mail.mud.yahoo.com\n 2013-03-15 19:01:27 closed mta6.am0.yahoodns.net (66.94.238.147) in=328 out=7427655\n 2013-03-15 19:01:27 done yahoo.com/mta1

2013-03-15 19:01:14 starting omsphere.com/mta1\n 2013-03-15 19:01:14 connecting from mta1.la1.rpost.net (64.70.1.107) to smtp.secureserver.net (72.167.238.201)\n 2013-03-15 19:01:14 connected from 64.70.1.107:58115\n 2013-03-15 19:01:14 >>> 220 p3pismtp01-052.prod.phx3.secureserver.net ESMTP\n 2013-03-15 19:01:14 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 19:01:14 >>> 250-p3pismtp01-052.prod.phx3.secureserver.net\n 2013-03-15 19:01:14 >>> 250-8BITMIME\n 2013-03-15 19:01:14 >>> 250 SIZE 31457280\n 2013-03-15 19:01:14 <<< MAIL FROM:<rcpt876E2E8F4C629C388CA7E973A4A7456D23D23ED2-2@rpost.net> BODY=7BIT\n 2013-03-15 19:01:14 >>> 250 sender

<rcpt876E2E8F4C629C388CA7E973A4A7456D23D23ED2-2@rpost.net> ok\n 2013-03-15

19:01:14 <<< RCPT TO:<fc@omsphere.com>\n 2013-03-15 19:01:14 >>> 250 recipient

<fc@omsphere.com> ok\n 2013-03-15 19:01:14 <<< DATA\n 2013-03-15 19:01:14 >>> 354 go

ahead\n 2013-03-15 19:01:15 <<< .\n 2013-03-15 19:01:15 >>> 250 ok: Message 340940457

accepted\n 2013-03-15 19:01:15 <<< QUIT\n 2013-03-15 19:01:15 >>> 221 p3pismtp01-

052.prod.phx3.secureserver.net\n 2013-03-15 19:01:15 closed smtp.secureserver.net

(72.167.238.201) in=341 out=7427616\n 2013-03-15 19:01:15 done omsphere.com/mta1

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

RECEIPT AUTHENTICATION™
PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
salvtoreloanagency@yahoo.com	Delivered and Opened	HTTP-IP:204.93.60.126	3/16/2013 2:00:49 AM (UTC)	3/15/2013 7:00:49 PM(-700)	3/15/2013 7:57:49 PM(-700)
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 534733314 accepted smtp.secureserver.net (72.167.238.201)	3/16/2013 2:00:37 AM (UTC)	3/15/2013 7:00:37 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope	
From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	US District Court Summons and Complaint 2 of 2 Case 4:13-cv-00522-KAW
To:	<salvtoreloanagency@yahoo.com>
Cc:	<fc@omsphere.com>
Bcc:	
Network ID:	<01b201ce21e9$fb2733b0$f1759b10$@entirelydifferentsolutions.
Received:	3/16/2013 2:00:35 AM(UTC) -420
Client Code:	

Message Statistics	
Message ID:	47F7BDE4CEB85385DA12DEA0F262A38A21600562
Message Size:	3269716
Additional Notes:	None
File Name:	**File Size (bytes)**
Declaration of Fletcher Carson.pdf	99590
SummonsAndOtherDocs.pdf	1744660
WaiverOfService SalvtoreLoan.pdf	259360
WaiverOfService KelvinDon Salvtore.pdf	260067
regdata.txt	411
regdata.txt	411

Delivery Audit Trail
From:opendetection@rpost.net:**Opened from IP 204.93.60.126** \n ---- Connection: close Content-Length: 0 Accept: */* Accept-Charset: ISO-8859-1,utf-8;q=0.7,*;q=0.3 Accept-Encoding: gzip,deflate,sdch Accept-Language: en-US,en;q=0.8 Host: open.rpost.net Referer: http://us.mc1645.mail.yahoo.com/mc/welcome?.gx=1&.tm=1363375501&.rand=evgvp1vqn0543 User-Agent: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.22 (KHTML, like Gecko) Chrome/25.0.1364.172 Safari/537.22 afl: 57518 /LM/W3SVC/3/ROOTE:\Open Detection\\n \n \n \n 0\n CGI/1.1off\n 3/LM/W3SVC/3\n 64.70.1.89/rpost.aspxE:\Open Detection\rpost.aspx404;http://open.rpost.net:80/47F7BDE4CEB85385DA12DEA0F262A38A21600 562-2_64F695D31402727AE3B20A3A4ED7CBC6FA6997F7/rpost.gif\n 204.93.60.126204.93.60.12663704GET\n /rpost.aspxopen.rpost.net800\n HTTP/1.1Microsoft-

IIS/7.5/rpost.aspxclose\n 0*/*ISO-8859-1,utf-8;q=0.7,*;q=0.3gzip,deflate,sdch\n en-

US,en;q=0.8open.rpost.nethttp://us.mc1645.mail.yahoo.com/mc/welcome?.gx=1&.tm=1363375501

&.rand=evgvp1vqn0543Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.22 (KHTML, like

Gecko) Chrome/25.0.1364.172 Safari/537.22\n 57518

2013-03-15 19:00:36 starting omsphere.com/mta1\n 2013-03-15 19:00:36 connecting from

mta1.la1.rpost.net (64.70.1.107) to smtp.secureserver.net (72.167.238.201)\n 2013-03-15 19:00:36

connected from 64.70.1.107:35686\n 2013-03-15 19:00:36 >>> 220 p3pismtp01-

045.prod.phx3.secureserver.net ESMTP\n 2013-03-15 19:00:36 <<< EHLO mta1.la1.rpost.net\n

2013-03-15 19:00:36 >>> 250-p3pismtp01-045.prod.phx3.secureserver.net\n 2013-03-15 19:00:36

>>> 250-8BITMIME\n 2013-03-15 19:00:36 >>> 250 SIZE 31457280\n 2013-03-15 19:00:36 <<<

MAIL FROM:<rcpt47F7BDE4CEB85385DA12DEA0F262A38A21600562-1@rpost.net>

BODY=7BIT\n 2013-03-15 19:00:36 >>> 250 sender

<rcpt47F7BDE4CEB85385DA12DEA0F262A38A21600562-1@rpost.net> ok\n 2013-03-15

19:00:36 <<< RCPT TO:<fc@omsphere.com>\n 2013-03-15 19:00:36 >>> 250 recipient

<fc@omsphere.com> ok\n 2013-03-15 19:00:36 <<< DATA\n 2013-03-15 19:00:36 >>> 354 go

ahead\n 2013-03-15 19:00:37 <<< .\n 2013-03-15 19:00:37 >>> 250 ok: Message 534733314

accepted\n 2013-03-15 19:00:37 <<< QUIT\n 2013-03-15 19:00:37 >>> 221 p3pismtp01-

045.prod.phx3.secureserver.net\n 2013-03-15 19:00:37 closed smtp.secureserver.net

(72.167.238.201) in=341 out=3273208\n 2013-03-15 19:00:37 done omsphere.com/mta1

2013-03-15 19:00:41 starting yahoo.com/mta1\n 2013-03-15 19:00:41 connecting from

mta1.la1.rpost.net (64.70.1.107) to mta7.am0.yahoodns.net (66.94.237.64)\n 2013-03-15 19:00:41

connected from 64.70.1.107:49975\n 2013-03-15 19:00:41 >>> 220 mta1254.mail.mud.yahoo.com

ESMTP YSmtpProxy service ready\n 2013-03-15 19:00:41 <<< EHLO mta1.la1.rpost.net\n 2013-03-

15 19:00:41 >>> 250-mta1254.mail.mud.yahoo.com\n 2013-03-15 19:00:41 >>> 250-8BITMIME\n

2013-03-15 19:00:41 >>> 250-SIZE 41943040\n 2013-03-15 19:00:41 >>> 250 PIPELINING\n

2013-03-15 19:00:41 <<< MAIL FROM:<rcpt47F7BDE4CEB85385DA12DEA0F262A38A21600562-

2@rpost.net> BODY=7BIT\n 2013-03-15 19:00:41 <<< RCPT

TO:<salvtoreloanagency@yahoo.com>\n 2013-03-15 19:00:41 <<< DATA\n 2013-03-15 19:00:41

>>> 250 sender <rcpt47F7BDE4CEB85385DA12DEA0F262A38A21600562-2@rpost.net> ok\n

2013-03-15 19:00:41 >>> 250 recipient <salvtoreloanagency@yahoo.com> ok\n 2013-03-15

19:00:41 >>> 354 go ahead\n 2013-03-15 19:00:43 <<< .\n 2013-03-15 19:00:49 >>> 250 ok

dirdel\n 2013-03-15 19:00:49 <<< QUIT\n 2013-03-15 19:00:49 >>> 221

mta1254.mail.mud.yahoo.com\n 2013-03-15 19:00:49 closed mta7.am0.yahoodns.net

(66.94.237.64) in=328 out=3273247\n 2013-03-15 19:00:49 done yahoo.com/mta1

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
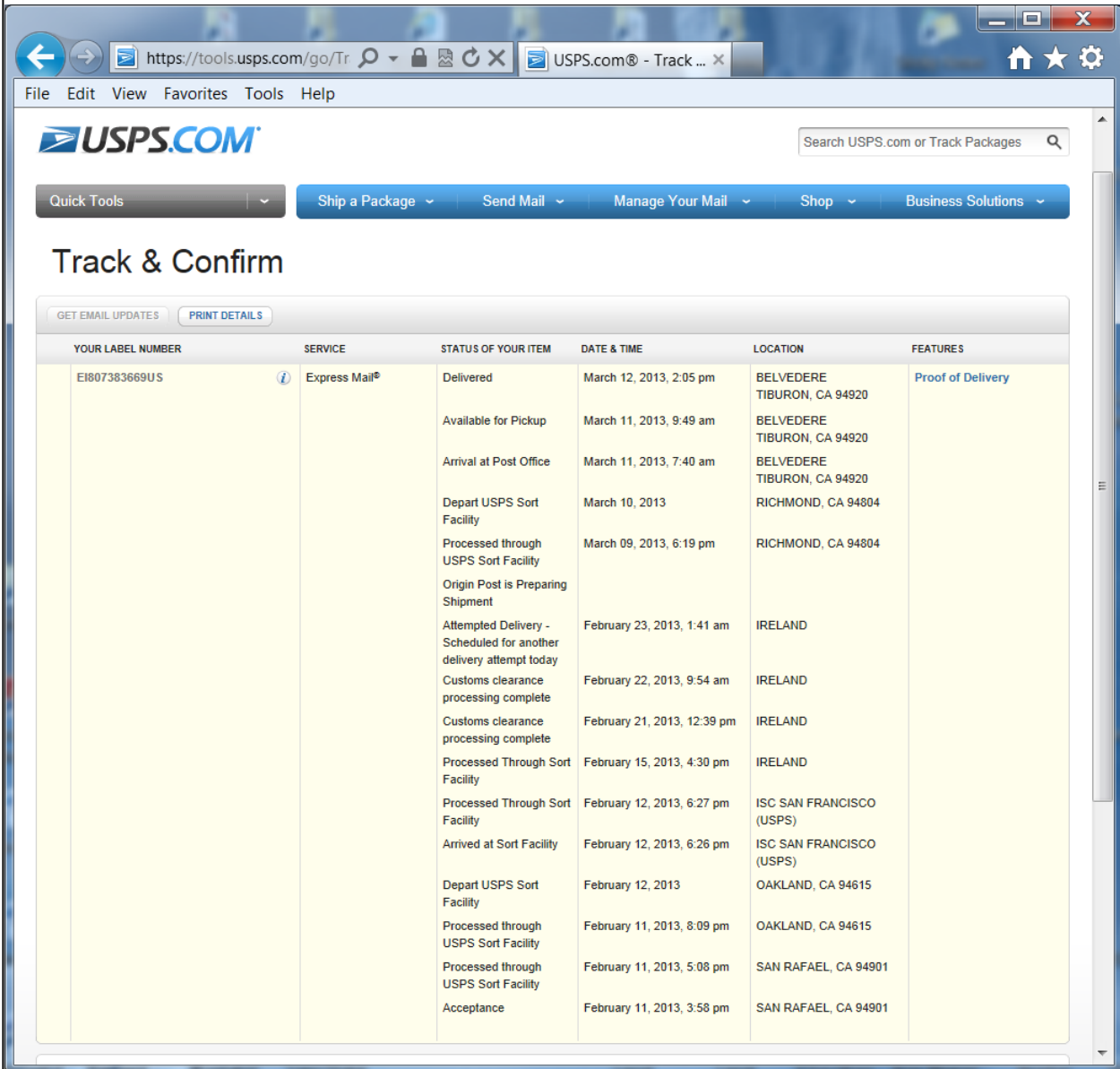4. Proof of the content of your original message and all of its attachments.

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EXHIBIT G
Salvtore Financial Agency
Service of Process Attempts

1. Salvtore Financial Agency
   a. Tracking: 9505 5101 3742 3042 4022 41
   b. Priority mail 2/11/13
   c. Expected delivery: 2/13/13 ➔ 2/13 ➔
   d. Returned as Return to Sender…Not at this Address

EXHIBIT H-1

Walsh Griffin - Personal

Service of Process Attempts

1. Walsh Griffin - Personal
   a. EI 807383669 US (EI807383669US)
   b. Express mail 2/11/13
   c. Expected delivery by 2/15/13
   d. RETURNED as insufficient address: I had called Dublin police and they said they did not think it was a legitimate address

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
EI807383669US ⓘ	Express Mail®	Delivered	March 12, 2013, 2:05 pm	BELVEDERE TIBURON, CA 94920	Proof of Delivery
		Available for Pickup	March 11, 2013, 9:49 am	BELVEDERE TIBURON, CA 94920	
		Arrival at Post Office	March 11, 2013, 7:40 am	BELVEDERE TIBURON, CA 94920	
		Depart USPS Sort Facility	March 10, 2013	RICHMOND, CA 94804	
		Processed through USPS Sort Facility	March 09, 2013, 6:19 pm	RICHMOND, CA 94804	
		Origin Post is Preparing Shipment			
		Attempted Delivery - Scheduled for another delivery attempt today	February 23, 2013, 1:41 am	IRELAND	
		Customs clearance processing complete	February 22, 2013, 9:54 am	IRELAND	
		Customs clearance processing complete	February 21, 2013, 12:39 pm	IRELAND	
		Processed Through Sort Facility	February 15, 2013, 4:30 pm	IRELAND	
		Processed Through Sort Facility	February 12, 2013, 6:27 pm	ISC SAN FRANCISCO (USPS)	
		Arrived at Sort Facility	February 12, 2013, 6:26 pm	ISC SAN FRANCISCO (USPS)	
		Depart USPS Sort Facility	February 12, 2013	OAKLAND, CA 94615	
		Processed through USPS Sort Facility	February 11, 2013, 8:09 pm	OAKLAND, CA 94615	
		Processed through USPS Sort Facility	February 11, 2013, 5:08 pm	SAN RAFAEL, CA 94901	
		Acceptance	February 11, 2013, 3:58 pm	SAN RAFAEL, CA 94901	

EXHIBIT H-2

Walsh Griffin

Authentication of Registered Email receipt to:

info@walshcapital.org , investment@walshcapital.org

RECEIPT AUTHENTICATION™
PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 1670133263 accepted smtp.secureserver.net (216.69.186.201)	3/16/2013 1:56:07 AM (UTC)	3/15/2013 6:56:07 PM(-700)	
info@walshcapital.org	Delivered to Mailserver	250 2.0.0 OK 1363398963 io9si13215258pbc.318 - gsmtp ASPMX.L.GOOGLE.COM (74.125.129.27)	3/16/2013 1:56:03 AM (UTC)	3/15/2013 6:56:03 PM(-700)	
investment@walshcapital.org	Delivered to Mailserver	250 2.0.0 OK 1363398964 tx10si13231406pbc.272 - gsmtp ASPMX.L.GOOGLE.COM (74.125.129.27)	3/16/2013 1:56:04 AM (UTC)	3/15/2013 6:56:04 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope

From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	FW: US District Court Summons and Complaint 1 of 2 Case 4:13-cv-00522-KAW
To:	<info@walshcapital.org> <investment@walshcapital.org>
Cc:	<fc@omsphere.com>

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

Bcc:	
Network ID:	<01ac01ce21e9$440f40f0$cc2dc2d0$@entirelydifferentsolutions.
Received:	3/16/2013 1:55:57 AM(UTC) -420
Client Code:	

Message Statistics	
Message ID:	7622AE74FBFFB9E95E0B77EE6B76DF315ED10EC9
Message Size:	7424362
Additional Notes:	None
File Name:	File Size (bytes)
<mark>Federal Complaint.pdf</mark>	5395783

Delivery Audit Trail

2013-03-15 18:55:56 starting omsphere.com/mta1\n 2013-03-15 18:55:56 connecting from mta1.la1.rpost.net (64.70.1.107) to smtp.secureserver.net (216.69.186.201)\n 2013-03-15 18:55:56 connected from 64.70.1.107:38386\n 2013-03-15 18:56:05 >>> 220 m1pismtp01-031.prod.mesa1.secureserver.net ESMTP\n 2013-03-15 18:56:05 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 18:56:05 >>> 250-m1pismtp01-031.prod.mesa1.secureserver.net\n 2013-03-15 18:56:05 >>> 250-8BITMIME\n 2013-03-15 18:56:05 >>> 250 SIZE 31457280\n 2013-03-15 18:56:05 <<< MAIL FROM:<rcpt7622AE74FBFFB9E95E0B77EE6B76DF315ED10EC9-1@rpost.net> BODY=7BIT\n 2013-03-15 18:56:05 >>> 250 sender <rcpt7622AE74FBFFB9E95E0B77EE6B76DF315ED10EC9-1@rpost.net> ok\n 2013-03-15 18:56:05 <<< RCPT TO:<fc@omsphere.com>\n 2013-03-15 18:56:05 >>> 250 recipient <fc@omsphere.com> ok\n 2013-03-15 18:56:05 <<< DATA\n 2013-03-15 18:56:06 >>> 354 go ahead\n 2013-03-15 18:56:06 <<< .\n 2013-03-15 18:56:07 >>> 250 ok: Message 1670133263 accepted\n 2013-03-15 18:56:07 <<< QUIT\n 2013-03-15 18:56:07 >>> 221 m1pismtp01-031.prod.mesa1.secureserver.net\n 2013-03-15 18:56:07 closed smtp.secureserver.net (216.69.186.201) in=345 out=7427844\n 2013-03-15 18:56:07 done omsphere.com/mta1

2013-03-15 18:55:59 starting walshcapital.org/mta1\n 2013-03-15 18:55:59 connecting from mta1.la1.rpost.net (64.70.1.107) to ASPMX.L.GOOGLE.COM (74.125.129.27)\n 2013-03-15 18:55:59 connected from 64.70.1.107:34740\n 2013-03-15 18:55:59 >>> 220 mx.google.com ESMTP io9si13215258pbc.318 - gsmtp\n 2013-03-15 18:55:59 <<< EHLO mta1.la1.rpost.net\n

1 2013-03-15 18:55:59 >>> 250-mx.google.com at your service, [64.70.1.107]\n 2013-03-15 18:55:59

2 >>> 250-SIZE 35882577\n 2013-03-15 18:55:59 >>> 250-8BITMIME\n 2013-03-15 18:55:59 >>>

3 250-STARTTLS\n 2013-03-15 18:55:59 >>> 250-ENHANCEDSTATUSCODES\n 2013-03-15

4 18:55:59 >>> 250 PIPELINING\n 2013-03-15 18:55:59 <<< MAIL

5 FROM:<rcpt7622AE74FBFFB9E95E0B77EE6B76DF315ED10EC9-2@rpost.net> BODY=7BIT\n

6 2013-03-15 18:55:59 <<< RCPT TO:<info@walshcapital.org>\n 2013-03-15 18:55:59 <<< DATA\n

7 2013-03-15 18:55:59 >>> 250 2.1.0 OK io9si13215258pbc.318 - gsmtp\n 2013-03-15 18:56:00 >>>

8 250 2.1.5 OK io9si13215258pbc.318 - gsmtp\n 2013-03-15 18:56:00 >>> 354 Go ahead

9 io9si13215258pbc.318 - gsmtp\n 2013-03-15 18:56:01 <<< .\n 2013-03-15 18:56:03 >>> 250 2.0.0

10 OK 1363398963 io9si13215258pbc.318 - gsmtp\n 2013-03-15 18:56:03 <<< QUIT\n 2013-03-15

11 18:56:03 >>> 221 2.0.0 closing connection io9si13215258pbc.318 - gsmtp\n 2013-03-15 18:56:03

12 closed ASPMX.L.GOOGLE.COM (74.125.129.27) in=435 out=7427862\n 2013-03-15 18:56:03

13 done walshcapital.org/mta1

14 2013-03-15 18:56:01 starting walshcapital.org/mta1\n 2013-03-15 18:56:01 connecting from

15 mta1.la1.rpost.net (64.70.1.107) to ASPMX.L.GOOGLE.COM (74.125.129.27)\n 2013-03-15

16 18:56:01 connected from 64.70.1.107:48044\n 2013-03-15 18:56:01 >>> 220 mx.google.com

17 ESMTP tx10si13231406pbc.272 - gsmtp\n 2013-03-15 18:56:01 <<< EHLO mta1.la1.rpost.net\n

18 2013-03-15 18:56:01 >>> 250-mx.google.com at your service, [64.70.1.107]\n 2013-03-15 18:56:01

19 >>> 250-SIZE 35882577\n 2013-03-15 18:56:01 >>> 250-8BITMIME\n 2013-03-15 18:56:01 >>>

20 250-STARTTLS\n 2013-03-15 18:56:01 >>> 250-ENHANCEDSTATUSCODES\n 2013-03-15

21 18:56:01 >>> 250 PIPELINING\n 2013-03-15 18:56:01 <<< MAIL

22 FROM:<rcpt7622AE74FBFFB9E95E0B77EE6B76DF315ED10EC9-3@rpost.net> BODY=7BIT\n

23 2013-03-15 18:56:01 <<< RCPT TO:<investment@walshcapital.org>\n 2013-03-15 18:56:01 <<<

24 DATA\n 2013-03-15 18:56:01 >>> 250 2.1.0 OK tx10si13231406pbc.272 - gsmtp\n 2013-03-15

25 18:56:02 >>> 250 2.1.5 OK tx10si13231406pbc.272 - gsmtp\n 2013-03-15 18:56:02 >>> 354 Go

26 ahead tx10si13231406pbc.272 - gsmtp\n 2013-03-15 18:56:03 <<< .\n 2013-03-15 18:56:04 >>>

27 250 2.0.0 OK 1363398964 tx10si13231406pbc.272 - gsmtp\n 2013-03-15 18:56:04 <<< QUIT\n

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

RECEIPT AUTHENTICATION™
PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 26980355 accepted smtp.secureserver.net (216.69.186.201)	3/16/2013 1:55:30 AM (UTC)	3/15/2013 6:55:30 PM(-700)	
info@walshcapital.org	Delivered to Mailserver	250 2.0.0 OK 1363398925 x9si10271025yhl.130 - gsmtp ASPMX.L.GOOGLE.COM (74.125.134.26)	3/16/2013 1:55:25 AM (UTC)	3/15/2013 6:55:25 PM(-700)	
investment@walshcapital.org	Delivered to Mailserver	250 2.0.0 OK 1363398926 r7si1729052yho.160 - gsmtp ASPMX.L.GOOGLE.COM (74.125.134.26)	3/16/2013 1:55:26 AM (UTC)	3/15/2013 6:55:26 PM(-700)	

*UTC represents Coordinated Universal Time.

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

Message Envelope	
From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	FW: US District Court Summons and Complaint 2 of 2 Case 4:13-cv-00522-KAW
To:	<info@walshcapital.org> <investment@walshcapital.org>
Cc:	<fc@omsphere.com>
Bcc:	
Network ID:	<01a601ce21e9$3c909d10$b5b1d730$@entirelydifferentsolutions.
Received:	3/16/2013 1:55:20 AM(UTC) -420
Client Code:	

Message Statistics	
Message ID:	0A7CB04A72C7013CF758F27FBAF7241D5E7B8C6E
Message Size:	3285025
Additional Notes:	None
File Name:	**File Size (bytes)**
Declaration of Fletcher Carson.pdf	99590
SummonsAndOtherDocs.pdf	1744660
WaiverOfService WalshCapitalGrp.pdf	271415
WaiverOfService WalshGriffin WCG.pdf	260652

Delivery Audit Trail

2013-03-15 18:55:20 starting omsphere.com/mta1\n 2013-03-15 18:55:20 connecting from mta1.la1.rpost.net (64.70.1.107) to smtp.secureserver.net (216.69.186.201)\n 2013-03-15 18:55:20 connected from 64.70.1.107:37967\n 2013-03-15 18:55:29 >>> 220 m1pismtp01-002.prod.mesa1.secureserver.net ESMTP\n 2013-03-15 18:55:29 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 18:55:29 >>> 250-m1pismtp01-002.prod.mesa1.secureserver.net\n 2013-03-15 18:55:29 >>> 250-8BITMIME\n 2013-03-15 18:55:29 >>> 250 SIZE 31457280\n 2013-03-15 18:55:29 <<< MAIL FROM:<rcpt0A7CB04A72C7013CF758F27FBAF7241D5E7B8C6E-1@rpost.net> BODY=7BIT\n 2013-03-15 18:55:30 >>> 250 sender <rcpt0A7CB04A72C7013CF758F27FBAF7241D5E7B8C6E-1@rpost.net> ok\n 2013-03-15 18:55:30 <<< RCPT TO:<fc@omsphere.com>\n 2013-03-15 18:55:30 >>> 250 recipient <fc@omsphere.com> ok\n 2013-03-15 18:55:30 <<< DATA\n 2013-03-15 18:55:30 >>> 354 go ahead\n 2013-03-15 18:55:30 <<< .\n 2013-03-15 18:55:30 >>> 250 ok: Message 26980355

accepted\n 2013-03-15 18:55:30 <<< QUIT\n 2013-03-15 18:55:30 >>> 221 m1pismtp01-002.prod.mesa1.secureserver.net\n 2013-03-15 18:55:30 closed smtp.secureserver.net (216.69.186.201) in=343 out=3288525\n 2013-03-15 18:55:30 done omsphere.com/mta1

2013-03-15 18:55:21 starting walshcapital.org/mta1\n 2013-03-15 18:55:21 connecting from mta1.la1.rpost.net (64.70.1.107) to ASPMX.L.GOOGLE.COM (74.125.134.26)\n 2013-03-15 18:55:21 connected from 64.70.1.107:55927\n 2013-03-15 18:55:21 >>> 220 mx.google.com ESMTP x9si10271025yhl.130 - gsmtp\n 2013-03-15 18:55:21 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 18:55:21 >>> 250-mx.google.com at your service, [64.70.1.107]\n 2013-03-15 18:55:21 >>> 250-SIZE 35882577\n 2013-03-15 18:55:21 >>> 250-8BITMIME\n 2013-03-15 18:55:21 >>> 250-STARTTLS\n 2013-03-15 18:55:21 >>> 250-ENHANCEDSTATUSCODES\n 2013-03-15 18:55:21 >>> 250 PIPELINING\n 2013-03-15 18:55:21 <<< MAIL FROM:<rcpt0A7CB04A72C7013CF758F27FBAF7241D5E7B8C6E-2@rpost.net> BODY=7BIT\n 2013-03-15 18:55:21 <<< RCPT TO:<info@walshcapital.org>\n 2013-03-15 18:55:21 <<< DATA\n 2013-03-15 18:55:21 >>> 250 2.1.0 OK x9si10271025yhl.130 - gsmtp\n 2013-03-15 18:55:21 >>> 250 2.1.5 OK x9si10271025yhl.130 - gsmtp\n 2013-03-15 18:55:21 >>> 354 Go ahead x9si10271025yhl.130 - gsmtp\n 2013-03-15 18:55:24 <<< .\n 2013-03-15 18:55:25 >>> 250 2.0.0 OK 1363398925 x9si10271025yhl.130 - gsmtp\n 2013-03-15 18:55:25 <<< QUIT\n 2013-03-15 18:55:25 >>> 221 2.0.0 closing connection x9si10271025yhl.130 - gsmtp\n 2013-03-15 18:55:25 closed ASPMX.L.GOOGLE.COM (74.125.134.26) in=429 out=3288543\n 2013-03-15 18:55:25 done walshcapital.org/mta1

2013-03-15 18:55:21 starting walshcapital.org/mta1\n 2013-03-15 18:55:21 connecting from mta1.la1.rpost.net (64.70.1.107) to ASPMX.L.GOOGLE.COM (74.125.134.26)\n 2013-03-15 18:55:21 connected from 64.70.1.107:45615\n 2013-03-15 18:55:21 >>> 220 mx.google.com ESMTP r7si1729052yho.160 - gsmtp\n 2013-03-15 18:55:21 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 18:55:21 >>> 250-mx.google.com at your service, [64.70.1.107]\n 2013-03-15 18:55:21 >>> 250-SIZE 35882577\n 2013-03-15 18:55:21 >>> 250-8BITMIME\n 2013-03-15 18:55:21 >>> 250-STARTTLS\n 2013-03-15 18:55:21 >>> 250-ENHANCEDSTATUSCODES\n 2013-03-15 18:55:21

>>> 250 PIPELINING\n 2013-03-15 18:55:21 <<< MAIL

FROM:<rcpt0A7CB04A72C7013CF758F27FBAF7241D5E7B8C6E-3@rpost.net> BODY=7BIT\n

2013-03-15 18:55:21 <<< RCPT TO:<investment@walshcapital.org>\n 2013-03-15 18:55:21 <<<

DATA\n 2013-03-15 18:55:21 >>> 250 2.1.0 OK r7si1729052yho.160 - gsmtp\n 2013-03-15

18:55:22 >>> 250 2.1.5 OK r7si1729052yho.160 - gsmtp\n 2013-03-15 18:55:22 >>> 354 Go

ahead r7si1729052yho.160 - gsmtp\n 2013-03-15 18:55:24 <<< .\n 2013-03-15 18:55:26 >>> 250

2.0.0 OK 1363398926 r7si1729052yho.160 - gsmtp\n 2013-03-15 18:55:26 <<< QUIT\n 2013-03-

15 18:55:26 >>> 221 2.0.0 closing connection r7si1729052yho.160 - gsmtp\n 2013-03-15 18:55:26

closed ASPMX.L.GOOGLE.COM (74.125.134.26) in=423 out=3288561\n 2013-03-15 18:55:26

done walshcapital.org/mta1

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

EXHIBIT I

Walsh Capital Group

Service of Process Attempts

1. Walsh Capital Group
   a. EI 807383655 US (EI807383655US)
   b. Express mail 2/11/13
   c. Expected delivery by 2/15/13
   d. RETURNED as insufficient address: I had called Dublin police and they said they did not think it was a legitimate address

USPS.COM

Track & Confirm

GET EMAIL UPDATES   PRINT DETAILS

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
EI807383655US	Express Mail®	Delivered	March 12, 2013, 2:05 pm	BELVEDERE TIBURON, CA 94920	Proof of Delivery
		Available for Pickup	March 11, 2013, 9:49 am	BELVEDERE TIBURON, CA 94920	
		Arrival at Post Office	March 11, 2013, 7:52 am	BELVEDERE TIBURON, CA 94920	
		Processed through USPS Sort Facility	March 10, 2013, 7:53 pm	RICHMOND, CA 94804	
		Depart USPS Sort Facility	March 10, 2013	RICHMOND, CA 94804	
		Processed through USPS Sort Facility	March 09, 2013, 5:22 pm	RICHMOND, CA 94804	
		Origin Post is Preparing Shipment			
		Attempted Delivery - Scheduled for another delivery attempt today	February 23, 2013, 1:41 am	IRELAND	
		Customs clearance processing complete	February 22, 2013, 9:53 am	IRELAND	
		Customs clearance processing complete	February 21, 2013, 12:39 pm	IRELAND	
		Processed Through Sort Facility	February 15, 2013, 4:30 pm	IRELAND	
		Processed Through Sort Facility	February 12, 2013, 6:27 pm	ISC SAN FRANCISCO (USPS)	
		Arrived at Sort Facility	February 12, 2013, 6:26 pm	ISC SAN FRANCISCO (USPS)	
		Depart USPS Sort Facility	February 12, 2013	OAKLAND, CA 94615	
		Processed through USPS Sort Facility	February 11, 2013, 8:09 pm	OAKLAND, CA 94615	
		Processed through USPS Sort Facility	February 11, 2013, 5:08 pm	SAN RAFAEL, CA 94901	
		Acceptance	February 11, 2013, 4:01 pm	SAN RAFAEL, CA 94901	

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

EXHIBIT I-1
Ivan Ahmed (Azziz)
Service of Process Attempts

1. Ivan Ahmed Azziz
   a. EI 807383641 US (EI807383641US)
   b. Express mail 2/11/13
   c. Expected delivery by 2/15/13
   d. RETURNED as UNCLAIMED

YOUR LABEL NUMBER		SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
EI807383641US	*i*	Express Mail International®	Delivered	March 12, 2013, 2:05 pm	BELVEDERE TIBURON, CA 94920	Proof of Delivery
			Available for Pickup	March 12, 2013, 11:27 am	BELVEDERE TIBURON, CA 94920	
			Arrival at Post Office	March 12, 2013, 11:24 am	BELVEDERE TIBURON, CA 94920	
			Processed Through Sort Facility	February 12, 2013, 4:54 pm	ISC SAN FRANCISCO (USPS)	
			Arrived at Sort Facility	February 12, 2013, 4:53 pm	ISC SAN FRANCISCO (USPS)	
			Depart USPS Sort Facility	February 12, 2013	OAKLAND, CA 94615	
			Processed through USPS Sort Facility	February 11, 2013, 8:09 pm	OAKLAND, CA 94615	
			Processed through USPS Sort Facility	February 11, 2013, 5:08 pm	SAN RAFAEL, CA 94901	
			Acceptance	February 11, 2013, 4:05 pm	SAN RAFAEL, CA 94901	

EXHIBIT I-2

Daniel Okwudili Nwankwo

Service of Process Attempts

1.   Daniel Okwudili Nwankwo
     a.   EI 807383638 US (EI807383638US)
     b.   Express mail 2/11/13
     c.   Expected delivery by 2/15/13
     d.   RETURNED as UNCLAIMED

EXHIBIT I-3

Cisse Abdoulaye

Service of Process Attempts

1. Cisse Abdoulaye
   a. EI 807383615 US (EI807383615US)
   b. Express mail 2/11/13
   c. Expected delivery by 2/15/13
   d. RETURNED as UNCLAIMED

USPS.COM

Track & Confirm

GET EMAIL UPDATES   PRINT DETAILS

YOUR LABEL NUMBER		SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
EI807383615US	(i)	Express Mail International®	Delivered	March 12, 2013, 2:05 pm	BELVEDERE TIBURON, CA 94920	Proof of Delivery
			Available for Pickup	March 12, 2013, 11:27 am	BELVEDERE TIBURON, CA 94920	
			Arrival at Post Office	March 12, 2013, 11:24 am	BELVEDERE TIBURON, CA 94920	
			Processed Through Sort Facility	February 12, 2013, 4:54 pm	ISC SAN FRANCISCO (USPS)	
			Arrived at Sort Facility	February 12, 2013, 4:53 pm	ISC SAN FRANCISCO (USPS)	
			Depart USPS Sort Facility	February 12, 2013	OAKLAND, CA 94615	
			Processed through USPS Sort Facility	February 11, 2013, 8:09 pm	OAKLAND, CA 94615	
			Processed through USPS Sort Facility	February 11, 2013, 5:08 pm	SAN RAFAEL, CA 94901	
			Acceptance	February 11, 2013, 4:08 pm	SAN RAFAEL, CA 94901	

Motion To Allow Alternate Service of Process
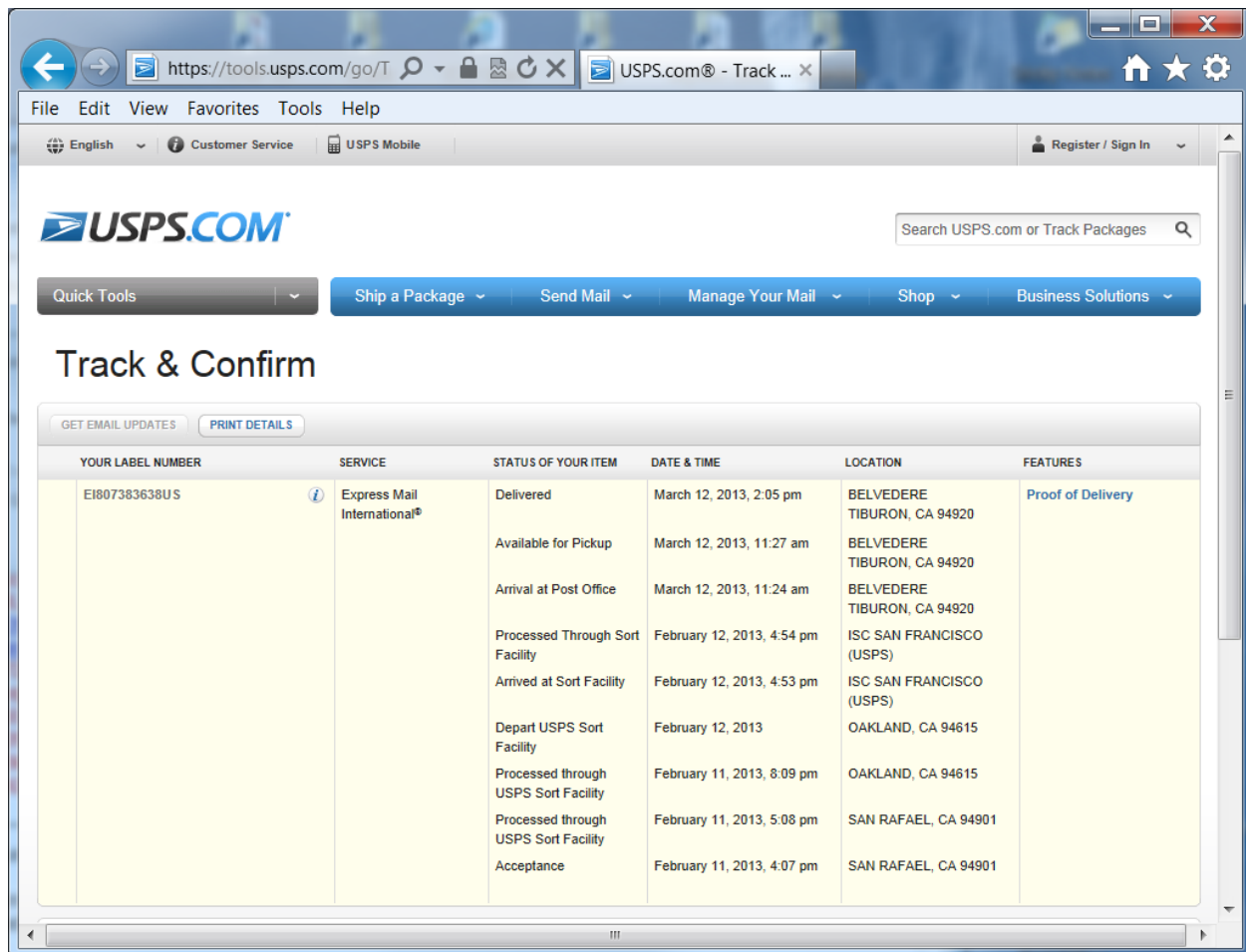Case No. 4:13-CV-00520-KAW

EXHIBIT I-4

Ben Aka

Service of Process Attempts

1. Ben Aka
   a. EI 807383607 US (EI807383607US)
   b. Express mail 2/11/13
   c. Expected delivery by 2/15/13
   d. RETURNED as UNCLAIMED
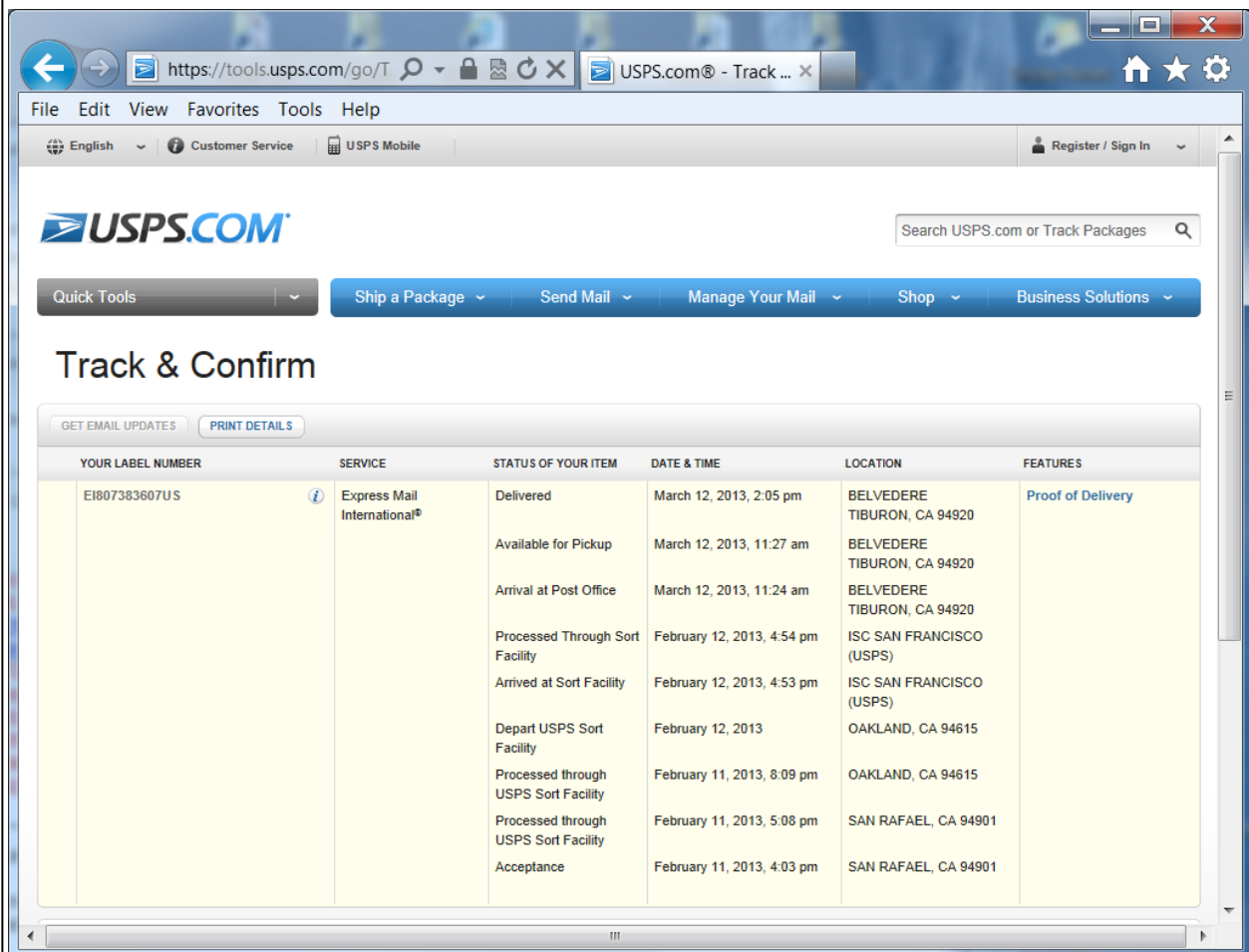
EXHIBIT I-5

Ivan Ahmed Azziz

Authentication of Registered Email receipt to:

ivanahmedm@gmail.com, ivanahmed48@hotmail.com

for Ivan Ahmed Azziz, Daniel Okwudili Nwankwo, Cisse Abdoulaye, Ben Aka

RECEIPT AUTHENTICATION™
PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
fc@omsphere.com	Delivered to Mailserver	250 ok: Message 12634699 accepted smtp.secureserver.net (72.167.238.201)	3/16/2013 1:45:55 AM (UTC)	3/15/2013 6:45:55 PM(-700)	
ivanahmed48@hotmail.com	Delivered to Mailserver	250 Queued mail for delivery mx4.hotmail.com (65.54.188.72)	3/16/2013 1:46:12 AM (UTC)	3/15/2013 6:46:12 PM(-700)	
ivanahmedm@gmail.com	Delivered to Mailserver	250 2.0.0 OK 1363398373 r7si1703601yho.260 - gsmtp gmail-smtp-in.l.google.com (74.125.134.27)	3/16/2013 1:46:13 AM (UTC)	3/15/2013 6:46:13 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope

From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	US District Court Summons and Complaint 1 of 2 Case 4:13-cv-00522-KAW
To:	<ivanahmed48@hotmail.com> <ivanahmedm@gmail.com>
Cc:	<fc@omsphere.com>

Bcc:	
Network ID:	<019701ce21e7$de63fda0$9b2bf8e0$@entirelydifferentsolutions.
Received:	3/16/2013 1:46:04 AM(UTC) -420
Client Code:	

Message Statistics	
Message ID:	880505836E8D58DEC900DD822CB9486F3010BD4C
Message Size:	7424907
Additional Notes:	None
File Name:	**File Size (bytes)**
<mark>Federal Complaint.pdf</mark>	5395783
regdata.txt	411

Delivery Audit Trail
2013-03-15 18:45:53 starting omsphere.com/mta1\n 2013-03-15 18:45:53 connecting from mta1.la1.rpost.net (64.70.1.107) to smtp.secureserver.net (72.167.238.201)\n 2013-03-15 18:45:53 connected from 64.70.1.107:37367\n 2013-03-15 18:45:53 >>> 220 p3pismtp01-073.prod.phx3.secureserver.net ESMTP\n 2013-03-15 18:45:53 <<< EHLO mta1.la1.rpost.net\n 2013-03-15 18:45:53 >>> 250-p3pismtp01-073.prod.phx3.secureserver.net\n 2013-03-15 18:45:53 >>> 250-8BITMIME\n 2013-03-15 18:45:53 >>> 250 SIZE 31457280\n 2013-03-15 18:45:53 <<< MAIL FROM:<rcpt880505836E8D58DEC900DD822CB9486F3010BD4C-1@rpost.net> BODY=7BIT\n 2013-03-15 18:45:54 >>> 250 sender <rcpt880505836E8D58DEC900DD822CB9486F3010BD4C-1@rpost.net> ok\n 2013-03-15 18:45:54 <<< RCPT TO:<fc@omsphere.com>\n 2013-03-15 18:45:54 >>> 250 recipient <fc@omsphere.com> ok\n 2013-03-15 18:45:54 <<< DATA\n 2013-03-15 18:45:54 >>> 354 go ahead\n 2013-03-15 18:45:54 <<< .\n 2013-03-15 18:45:55 >>> 250 ok: Message 12634699 accepted\n 2013-03-15 18:45:55 <<< QUIT\n 2013-03-15 18:45:55 >>> 221 p3pismtp01-073.prod.phx3.secureserver.net\n 2013-03-15 18:45:55 closed smtp.secureserver.net (72.167.238.201) in=340 out=7428380\n 2013-03-15 18:45:55 done omsphere.com/mta1
2013-03-15 18:46:06 starting gmail.com/mta1\n 2013-03-15 18:46:06 connecting from mta1.la1.rpost.net (64.70.1.107) to gmail-smtp-in.l.google.com (74.125.134.27)\n 2013-03-15 18:46:06 connected from 64.70.1.107:39671\n 2013-03-15 18:46:06 >>> 220 mx.google.com

1	ESMTP r7si1703601yho.260 - gsmtp\n 2013-03-15 18:46:06 <<< EHLO mta1.la1.rpost.net\n 2013-
2	03-15 18:46:06 >>> 250-mx.google.com at your service, [64.70.1.107]\n 2013-03-15 18:46:06 >>>
3	250-SIZE 35882577\n 2013-03-15 18:46:06 >>> 250-8BITMIME\n 2013-03-15 18:46:06 >>> 250-
4	STARTTLS\n 2013-03-15 18:46:06 >>> 250-ENHANCEDSTATUSCODES\n 2013-03-15 18:46:06
5	>>> 250 PIPELINING\n 2013-03-15 18:46:06 <<< MAIL
6	FROM:<rcpt880505836E8D58DEC900DD822CB9486F3010BD4C-2@rpost.net> BODY=7BIT\n
7	2013-03-15 18:46:06 <<< RCPT TO:<ivanahmedm@gmail.com>\n 2013-03-15 18:46:06 <<<
8	DATA\n 2013-03-15 18:46:06 >>> 250 2.1.0 OK r7si1703601yho.260 - gsmtp\n 2013-03-15
9	18:46:06 >>> 250 2.1.5 OK r7si1703601yho.260 - gsmtp\n 2013-03-15 18:46:06 >>> 354 Go
10	ahead r7si1703601yho.260 - gsmtp\n 2013-03-15 18:46:11 <<< .\n 2013-03-15 18:46:13 >>> 250
11	2.0.0 OK 1363398373 r7si1703601yho.260 - gsmtp\n 2013-03-15 18:46:13 <<< QUIT\n 2013-03-
12	15 18:46:13 >>> 221 2.0.0 closing connection r7si1703601yho.260 - gsmtp\n 2013-03-15 18:46:13
13	closed gmail-smtp-in.l.google.com (74.125.134.27) in=423 out=7428395\n 2013-03-15 18:46:13
14	done gmail.com/mta1

15	2013-03-15 18:46:09 starting hotmail.com/mta1\n 2013-03-15 18:46:09 connecting from
16	mta1.la1.rpost.net (64.70.1.107) to mx4.hotmail.com (65.54.188.72)\n 2013-03-15 18:46:09
17	connected from 64.70.1.107:43779\n 2013-03-15 18:46:09 >>> 220 BAY0-MC1-
18	F48.Bay0.hotmail.com Sending unsolicited commercial or bulk e-mail to Microsoft's computer
19	network is prohibited. Other restrictions are found at http://privacy.microsoft.com/en-us/anti-
20	spam.mspx. Fri, 15 Mar 2013 18:46:10 -0700 \n 2013-03-15 18:46:09 <<< EHLO
21	mta1.la1.rpost.net\n 2013-03-15 18:46:09 >>> 250-BAY0-MC1-F48.Bay0.hotmail.com (3.17.0.78)
22	Hello [64.70.1.107]\n 2013-03-15 18:46:09 >>> 250-SIZE 36909875\n 2013-03-15 18:46:09 >>>
23	250-PIPELINING\n 2013-03-15 18:46:09 >>> 250-8bitmime\n 2013-03-15 18:46:09 >>> 250-
24	BINARYMIME\n 2013-03-15 18:46:09 >>> 250-CHUNKING\n 2013-03-15 18:46:09 >>> 250-AUTH
25	LOGIN\n 2013-03-15 18:46:09 >>> 250-AUTH=LOGIN\n 2013-03-15 18:46:09 >>> 250 OK\n 2013-
26	03-15 18:46:09 <<< MAIL FROM:<rcpt880505836E8D58DEC900DD822CB9486F3010BD4C-
27	3@rpost.net> BODY=7BIT\n 2013-03-15 18:46:09 <<< RCPT TO:<ivanahmed48@hotmail.com>\n

2013-03-15 18:46:09 <<< DATA\n 2013-03-15 18:46:09 >>> 250

rcpt880505836E8D58DEC900DD822CB9486F3010BD4C-3@rpost.net....Sender OK\n 2013-03-15

18:46:09 >>> 250 ivanahmed48@hotmail.com \n 2013-03-15 18:46:09 >>> 354 Start mail input;

end with <CRLF>.<CRLF>\n 2013-03-15 18:46:12 <<< .\n 2013-03-15 18:46:12 >>> 250

<880505836E8D58DEC900DD822CB9486F3010BD4C-3@rpost.net> Queued mail for delivery\n

2013-03-15 18:46:12 <<< QUIT\n 2013-03-15 18:46:12 >>> 221 BAY0-MC1-F48.Bay0.hotmail.com

Service closing transmission channel\n 2013-03-15 18:46:12 closed mx4.hotmail.com

(65.54.188.72) in=739 out=7428238\n 2013-03-15 18:46:12 done hotmail.com/mta1

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

RECEIPT AUTHENTICATION™
PROOF OF DELIVERY, CONTENT AND OFFICIAL TIME ™

The receipt you have submitted to our system is valid and proves the delivery results displayed below.

** A copy of the original message is attached. **

Delivery Status

Address	Status	Details	Delivered (UTC*)	Delivered (local)	Opened (local)
ivanahmed48@hotmail.com	Delivered to Mailserver	250 Queued mail for delivery mx1.hotmail.com (65.55.92.184)	3/16/2013 1:46:05 AM (UTC)	3/15/2013 6:46:05 PM(-700)	
ivanahmedm@gmail.com	Delivered to Mailserver	250 2.0.0 OK 1363398369 u26si7038379yhf.88 - gsmtp gmail-smtp-in.l.google.com (74.125.134.27)	3/16/2013 1:46:09 AM (UTC)	3/15/2013 6:46:09 PM(-700)	

*UTC represents Coordinated Universal Time.

Message Envelope

From:	Fletcher Carson<fletcher.carson@entirelydifferentsolutions.com>
Subject:	US District Court Summons and Complaint 2 of 2 Case 4:13-cv-00522-KAW

Motion To Allow Alternate Service of Process
Case No. 4:13-CV-00520-KAW

To:	<ivanahmed48@hotmail.com>
	<ivanahmedm@gmail.com>
Cc:	
Bcc:	
Network ID:	<019d01ce21e7$ef99f750$cecde5f0$@entirelydifferentsolutions.
Received:	3/16/2013 1:46:04 AM(UTC) -420
Client Code:	

Message Statistics

Message ID:	774FF21FC90EA27E08BD455F35569E421E96E14C
Message Size:	2887662
Additional Notes:	None
File Name:	File Size (bytes)
DECLAR_1.PDF	99590
SUMMON_1.PDF	1744660
WAC026_1.PDF	261273

Delivery Audit Trail

2013-03-15 18:46:02 starting hotmail.com/mta1\n 2013-03-15 18:46:02 connecting from

mta1.la1.rpost.net (64.70.1.107) to mx1.hotmail.com (65.55.92.184)\n 2013-03-15 18:46:02

connected from 64.70.1.107:49281\n 2013-03-15 18:46:02 >>> 220 SNT0-MC4-

F28.Snt0.hotmail.com Sending unsolicited commercial or bulk e-mail to Microsoft's computer

network is prohibited. Other restrictions are found at http://privacy.microsoft.com/en-us/anti-

spam.mspx. Fri, 15 Mar 2013 18:46:03 -0700 \n 2013-03-15 18:46:02 <<< EHLO

mta1.la1.rpost.net\n 2013-03-15 18:46:02 >>> 250-SNT0-MC4-F28.Snt0.hotmail.com (3.17.0.78)

Hello [64.70.1.107]\n 2013-03-15 18:46:02 >>> 250-SIZE 36909875\n 2013-03-15 18:46:02 >>>

250-PIPELINING\n 2013-03-15 18:46:02 >>> 250-8bitmime\n 2013-03-15 18:46:02 >>> 250-

BINARYMIME\n 2013-03-15 18:46:02 >>> 250-CHUNKING\n 2013-03-15 18:46:02 >>> 250-AUTH

LOGIN\n 2013-03-15 18:46:02 >>> 250-AUTH=LOGIN\n 2013-03-15 18:46:02 >>> 250 OK\n 2013-

03-15 18:46:02 <<< MAIL FROM:<rcpt774FF21FC90EA27E08BD455F35569E421E96E14C-

1@rpost.net> BODY=7BIT\n 2013-03-15 18:46:02 <<< RCPT TO:<ivanahmed48@hotmail.com>\n

2013-03-15 18:46:02 <<< DATA\n 2013-03-15 18:46:02 >>> 250

rcpt774FF21FC90EA27E08BD455F35569E421E96E14C-1@rpost.net....Sender OK\n 2013-03-15

1 18:46:03 >>> 250 ivanahmed48@hotmail.com \n 2013-03-15 18:46:03 >>> 354 Start mail input;

2 end with <CRLF>.<CRLF>\n 2013-03-15 18:46:05 <<< .\n 2013-03-15 18:46:05 >>> 250

3 <774FF21FC90EA27E08BD455F35569E421E96E14C-1@rpost.net> Queued mail for delivery\n

4 2013-03-15 18:46:05 <<< QUIT\n 2013-03-15 18:46:05 >>> 221 SNT0-MC4-F28.Snt0.hotmail.com

5 Service closing transmission channel\n 2013-03-15 18:46:05 closed mx1.hotmail.com

6 (65.55.92.184) in=739 out=2891423\n 2013-03-15 18:46:05 done hotmail.com/mta1

7 2013-03-15 18:46:05 starting gmail.com/mta1\n 2013-03-15 18:46:05 connecting from

8 mta1.la1.rpost.net (64.70.1.107) to gmail-smtp-in.l.google.com (74.125.134.27)\n 2013-03-15

9 18:46:05 connected from 64.70.1.107:54250\n 2013-03-15 18:46:05 >>> 220 mx.google.com

10 ESMTP u26si7038379yhf.88 - gsmtp\n 2013-03-15 18:46:05 <<< EHLO mta1.la1.rpost.net\n 2013-

11 03-15 18:46:05 >>> 250-mx.google.com at your service, [64.70.1.107]\n 2013-03-15 18:46:05 >>>

12 250-SIZE 35882577\n 2013-03-15 18:46:05 >>> 250-8BITMIME\n 2013-03-15 18:46:05 >>> 250-

13 STARTTLS\n 2013-03-15 18:46:05 >>> 250-ENHANCEDSTATUSCODES\n 2013-03-15 18:46:05

14 >>> 250 PIPELINING\n 2013-03-15 18:46:05 <<< MAIL

15 FROM:<rcpt774FF21FC90EA27E08BD455F35569E421E96E14C-2@rpost.net> BODY=7BIT\n

16 2013-03-15 18:46:05 <<< RCPT TO:<ivanahmedm@gmail.com>\n 2013-03-15 18:46:05 <<<

17 DATA\n 2013-03-15 18:46:05 >>> 250 2.1.0 OK u26si7038379yhf.88 - gsmtp\n 2013-03-15

18 18:46:06 >>> 250 2.1.5 OK u26si7038379yhf.88 - gsmtp\n 2013-03-15 18:46:06 >>> 354 Go ahead

19 u26si7038379yhf.88 - gsmtp\n 2013-03-15 18:46:08 <<< .\n 2013-03-15 18:46:09 >>> 250 2.0.0

20 OK 1363398369 u26si7038379yhf.88 - gsmtp\n 2013-03-15 18:46:09 <<< QUIT\n 2013-03-15

21 18:46:09 >>> 221 2.0.0 closing connection u26si7038379yhf.88 - gsmtp\n 2013-03-15 18:46:09

22 closed gmail-smtp-in.l.google.com (74.125.134.27) in=423 out=2891580\n 2013-03-15 18:46:09

23 done gmail.com/mta1

This Registered Receipt email is verifiable proof of your Registered Email transaction. It contains:
1. An official time stamp.
2. Proof that your message was sent and to whom it was sent.
3. Proof that your message was delivered to its addressees or their authorized electronic agents.
4. Proof of the content of your original message and all of its attachments.

EXHIBIT J

AJR International FZE

Service of Process Attempts

1. AJR International FZE
   a. EI 807383598 US (EI807383598US)
   b. Express mail 2/11/13
   c. Expected delivery by 2/15/13
   d. RETURNED but reason cannot be ascertained
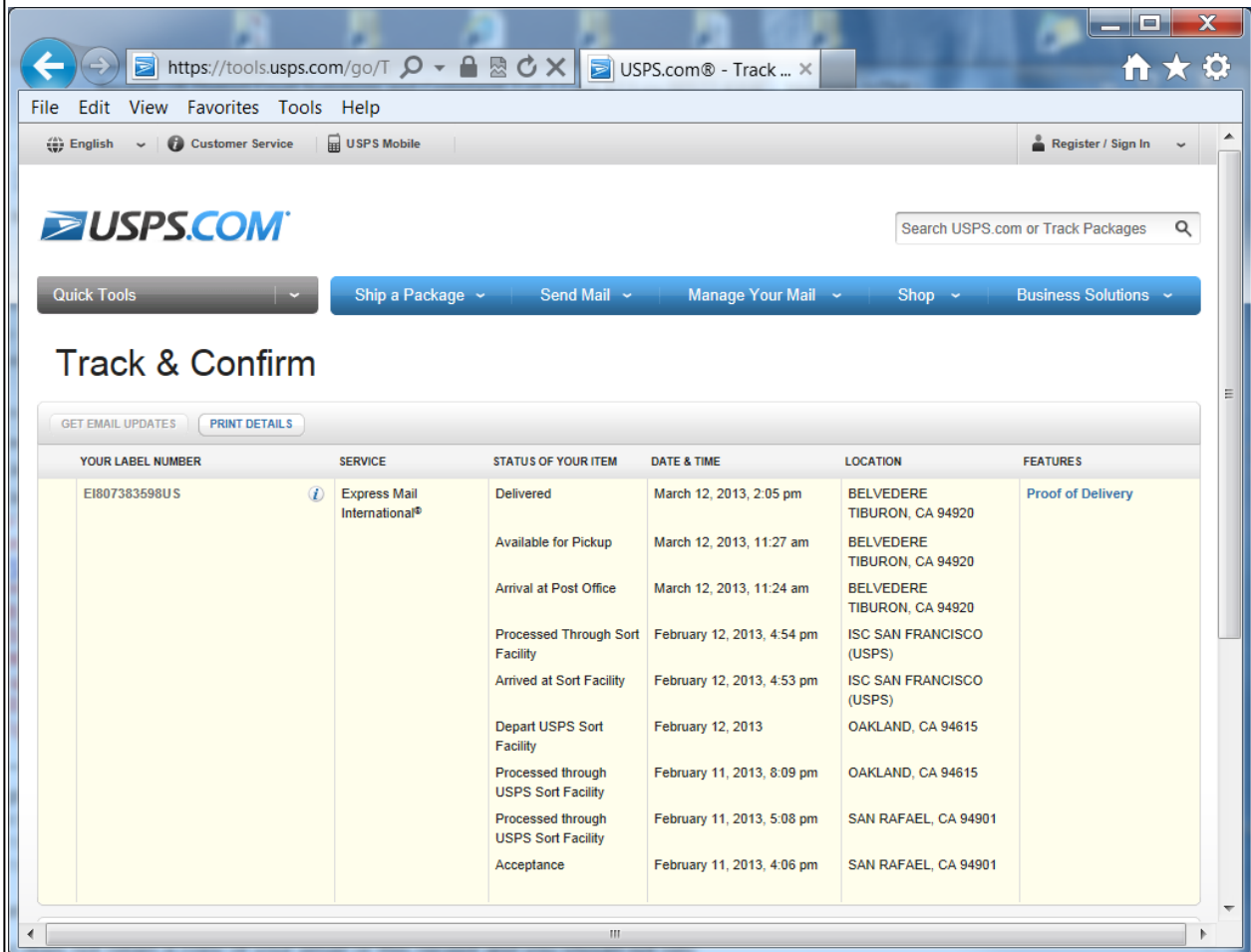
RPOST HOLDINGS, INC., RPOST INTERNATIONAL LIMITED, and RMAIL LIMITED Plaintiffs,

v.

DMITRY KAGAN Defendant.

Civil Action No. 2:11-cv-238-JRG.

United States District Court, E.D. Texas, Marshall Division.

January 23, 2012.

MEMORANDUM OPINION AND ORDER

RODNEY GILSTRAP, District Jduge.

I. Introduction

The Plaintiffs' Motion for Alternative Service of Process Under Fed. R. Civ. P. 4(f)(3) is before the Court. (Dkt. No. 7.) Upon due consideration, the Court GRANTS the Plaintiffs' motion, to the extent and in the manner as set forth herein.

II. Factual and Procedural Background

Plaintiffs RPost Holdings, Inc., RPost International Limited, and RMail Limited (collectively "RPost") filed this action on April 29, 2011 seeking relief against Mr. Dmitry Kagan ("Kagan") for alleged infringement of RPost's patent and trademarks through pointofmail.com, a website purportedly owned by Kagan. Through the company that hosts pointofmail.com's website, RPost obtained a physical address in Israel where it believed Kagan was located. (Dkt. No. 7, at Ex. 1.) Based on this address, RPost attempted to serve the Summons and Complaint upon Kagan under the provisions of the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents (the "Hague Convention"). *Id.,* at Ex. 5. Attempted service upon Kagan pursuant to the Hague Convention at the address obtained through the company that hosts pointofmail.com was unsuccessful. Such attempt failed because the State of Israel Directorate of Courts informed RPost that service could not be completed at that physical address because Kagan had moved to an "unknown address." *Id.,* at Ex. 6.

Despite their difficulty identifying Kagan's physical address in Israel, RPost has successfully reached Kagan through an email address that was also provided by pointofmail.com's web host. *Id.* at 3. Within days of sending an email to Kagan, RPost's counsel received a response from an attorney in Israel, Jonathan Agmon ("Agmon"), stating that he represented Kagan "with regard to responding to your letter." *Id.,* at Ex. 4. In the ensuing months, Agmon and RPost's counsel exchanged several emails, but Agmon refused to accept the Summons and Complaint on Kagan's behalf and declined to provide a valid address through which Kagan could be served under the Hague Convention. *Id.,* at Ex. 7.

RPost now asks this Court to authorize alternative service of process under Fed. R. Civ. P. 4(f)(3) by requesting permission to serve Kagan by electronic mail on both Kagan and his attorney, Agmon.

III. Discussion

A. The Hague Service Convention is Inapplicable

Federal Rule of Civil Procedure 4(f)(1) provides that use of Hague Convention procedures is "mandatory if available at the place of service." *Gramercy Ins. Co. v. Kavanagh,* 3:10-cv-1254, 2011 U.S. Dist. Lexis 50003, at *2 (N.D. Tex. May 10, 2011) (citing 4B Charles A. Wright & Arthur R. Miller, *Federal Practice and Procedure* § 1134, at 311 (3d ed. 2002 & Supp. 2011)). However, the "Convention shall not apply where the address of the person to be served with the document is not known." *Id.* (citing *Chanel, Inc. v. Zhibing,* 2010 U.S. Dist. LEXIS 25709, at *3 (W.D. Tenn. Mar. 17, 2010) (granting email service on foreign defendant, holding that "[b]ecause the [Hague] Convention does not apply, this Court has broad authority to determine an appropriate alternative method of service.").

RPost has reasonably worked to comply with the Hague Convention. They sought Mr. Kagan's physical address from the company that hosts Kagan's website, and attempted to serve process based on that address. They specifically requested Kagan's address from Agmon. None of these efforts resulted in effective service upon Kagan according to the Hague Convention. Nothing before the Court disputes that Kagan's actual location remains unknown. As cited above, the State of Israel Directorate of Courts noted that Kagan "moved to an unknown address." (Dkt. No. 7, at Ex. 6.) Therefore, this Court finds that under these facts the Hague Convention is inapplicable and accordingly service of process under Rule 4(f)(3) is not prohibited by international agreement.

B. Service by E-Mail Comports with the Requirements of both Rule 4(f)(3) and Due Process

Any method of service of process arrived at pursuant to Rule 4(f)(3) must comport with constitutional notions of due process. *See Gramercy,* 2011 U.S. Dist. Lexis 50003, at *2; *Rio Props., Inc. v. Rio Int'l Interlink,* 284 F.3d 1007, 1016 (9th Cir. 2002). To meet this requirement, the method of service crafted must be "reasonably calculated, under all circumstances, to apprise interested parties of the pendency of the action and afford them

1 an opportunity to present their objections." *Mullane v. Cent. Hanover Bank & Trust Co., 339 U.S. 306, 312 (1950)*.

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3 RPost has successfully and repeatedly reached both Kagan and Agmon via email. (Dkt. No. 7, at 3) ("Through RPost's registered E-mail® technology, RPost's counsel was able to confirm that the email was successfully delivered."); *Id.,* at Ex. 4 ("Your letter dated March 17, 2011 to Mr. Dmitry Kagan has been forwarded to me."); *Id.,* at Ex. 7 (series of email correspondence between Plaintiff's counsel and Agmon between May 1, 2011 and August 25, 2011). The Court has no material doubt that Mr. Kagan will be provided notice of this suit via email service, and that such method will comport with constitutional notions of due process. Accordingly, the Court finds that email service on both Kagan and his attorney, Agmon, are an appropriate means for notifying the Defendant of this action.

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8 Further, the Court notes that the established physical address for Agmon's law office in Israel *is* well-known. Service on an attorney by ordinary mail may also satisfy the due-process requirements of Rule 4(f)(3). *See, e.g., Levin v. Ruby Trading Corp., 248 F. Supp. 537, 541 (S.D.N.Y. 1965)* (finding that service on foreign attorney by ordinary mail satisfied due process by affording the best opportunity to defend against action where previous attempts at personal service had failed); *see also Forum Fin. Grp. v. President, Fellows of Harvard Coll., 199 F.R.D. 22, 23 (D. Me. 2001)* (permitting service on foreign defendant's attorney, located in New York). Therefore, to ensure that the resulting service on Kagan under Rule 4(f)(3) comports to the fullest extent possible with constitutional notions of due process, the Court directs RPost to deliver a copy of the Summons and Complaint via international registered mail to Agmon at his law office address in Israel.

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15 # IV. Conclusion

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17 The Court GRANTS Plaintiff's Motion for Alternative Service of Process Under Fed. R. Civ. P. 4(f)(3) and directs RPost to serve process on Kagan under Rule 4(f)(3) by means of delivering the summons and compliant as follows: (1) by electronic mail on Kagan at the email address obtained from pointofmail.com's web host; (2) by electronic mail on Kagan's counsel, Agmon, at his email address shown in this case (Dkt No. 7, Ex. 7); and additionally (3) by international registered mail addressed to Agmon at his law office address in Israel as shown in this case (Dkt. No. 7, Ex. 4.) Thereafter, RPost is directed to file a notice with the Court, along with all necessary and appropriate exhibits, demonstrating compliance with each of the foregoing methods of service.

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22 So ORDERED.

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